



FEB 18 2025

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

BY

DEPUTY

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UNITED STATES DISTRICT COURT FOR THE WESTERN
DISTRICT OF WASHINGTON AT SEATTLE

STATE OF WASHINGTON, ET ALL)	Cause no. 2:25-cv-00127-JCC
Vs)	NOTICE OF INTERVENTION
DONALD TRUMP, ET ALL)	AS A MATTER OF RIGHT OF
)	DAMAGED AND INTERESTED PARTY
)	GRAND JURY DEMAND

IN ACCORDANCE WITH; FRCP Rule 24 (a) Intervention as a matter of right. I am intervening and joining this case to see that justice is served upon myself, who was unlawfully made into a political prisoner of the State of Washington by including but not limited to Robert Ferguson, the Washington State Supreme Court Justices and the U.S. Judges identified herein.

In addition to violating their oaths of offices and going rouge the following United States Judges and former United States Prosecutor Nick Brown for the Western District of Washington became Class "C" felons as described in RCW 29A.84.720 Officers- Violation Generally¹ for removing the political people of the people by preventing a Grand Jury investigation into the criminal election crimes complaints I and others filed.

The current Washington State Supreme Court Justices and all of the following U.S. Judges including but not limited to former U.S. Prosecutor now acting Washington State Attorney General Nick Brown, are part of the every persons described in RCW 29A.84.720 and had the duty described therein to prevent any actions to take the political power away from the people, but instead took actions to remove the political power of the people and decide

¹ RCW 29A.84.720 Officers—Violations generally. Every person charged with the performance of any duty under the provisions of any law of this state relating to elections, including primaries, or the provisions of any charter or ordinance of any city or town of this state relating to elections who willfully neglects or refuses to perform such duty, or who, in the performance of such duty, or in his or her official capacity, knowingly or fraudulently violates any of the provisions of law relating to such duty, is guilty of a class C felony punishable under RCW 9A.20.021 and shall forfeit his or her office.

1 political actions themselves when they ignored their duty to see that a Grand Jury was called to
 2 investigate the election crimes I and others personally reported; John C. Coughenour, Richard
 3 A. Jones, Brian A. Tschida, Benjamin H. Settle, James L. Robart, Robert J. Bryan, Robert S.
 4 Lasnik, Ricardo S. Martinez, Marsha J. Peachman, Barbra J. Rothstein, Thomas S. Zilly, Carolyn
 5 R. Dimmick, David Estudillo, Tana Lin, Laura J. King, John H. Chun and all of the current
 6 Washington State Supreme Court Justices.

7 The mode of operandi for Washington State Officials Like Nick Brown, Robert Ferguson
 8 and our Washington State Supreme Court Justices to further their criminal career is exactly
 9 similar to Adolf Hitler's mode of operandi, in that Adolf Hitler knew if he could control the
 10 courts and the news media he could control the outcome of elections by taking advantage of
 11 naïve individuals. This is why Jay Inslee, Robert Ferguson, Nick Brown and others promised
 12 social benefits to illegal aliens and registered them to vote for them, which is a form of bribery
 13 and corrupt solicitation and grounds for removal from public offices as described in our
 14 Washington State Constitution. This is why almost 2000 precinct committee officers instructed
 15 the Chairman of the Washington State Republican Party to call a Legislative Inquiry
 16 Investigation into Robert Ferguson and his accomplices' election crimes and violations of RCW
 17 29A.84.720 Officers- violations generally.

18 All of these top ranking Washington State Officials within the state and federal judicial
 19 branches of Washington State created an oligarchy in which they are providing each other
 20 special privileges and immunities that is prohibited by our Washington State Constitutional
 21 Trust agreement. This Oligarchy is a direct attack on our Republic and these public officials are
 22 engaging in subversive activities as described in **RCW 9.81.020 Subversive activities made**
 23 **felony—Penalty.** The members of the judicial branches of Washington State are completely
 24 out of control, instead of catering to justice they create arguments between the people, which
 25 is good for their judicial fraud industry, but is bad for the domestic tranquility of the people.

1 Washington State Attorney General Nick Brown joined the criminal conspiracy² created
 2 by Jay Inslee and Robert Ferguson and engaged in the same criminal acts former Washington
 3 State Attorney General Robert Ferguson engaged in whereas they both used public funds and
 4 public offices for their personal political purposes to attack their political opponents including
 5 but not limited to myself and President Donald Trump in order to further their personal political
 6 career so they can continue to cover-up crimes they engaged in while in public offices. These
 7 criminal acts include but are not limited to RCW 42.17A.550 Use of public funds for political
 8 purposes, WSC article IV section 30 Bribery and Corrupt Solicitation, RCW 9A.68.050
 9 Trading in special influence, RCW 10.58.040 Intent to defraud, RCW 9A.82.060 Leading
 10 organized crime, and RCW 9.81.020 Subversive activities made felony—Penalty.

11 It is not for any Judge or public officer to decide if this case involves the use of public
 12 funds for political purposes, or if they are in violation of RCW 29A.84.720. In order to protect
 13 the political power of the people, it is for a Grand Jury of the people to decide these very
 14 important fact as described in RCW 36.27.020 Duties. The prosecuting attorney shall: (9)
 15 Present all violations of the election laws which may come to the prosecuting attorney's
 16 knowledge to the special consideration of the proper jury; and RCW 43.10.030 General Powers
 17 and Duties The attorney General Shall: (4) consult with and advise the several prosecuting
 18 attorneys in matters relating to the duties of their office.

² **RCW 9A.28.040 Criminal conspiracy.**

(1) A person is guilty of criminal conspiracy when, with intent that conduct constituting a crime be performed, he or she agrees with one or more persons to engage in or cause the performance of such conduct, and any one of them takes a substantial step in pursuance of such agreement.

(2) It shall not be a defense to criminal conspiracy that the person or persons with whom the accused is alleged to have conspired:

- (a) Has not been prosecuted or convicted; or
- (b) Has been convicted of a different offense; or
- (c) Is not amenable to justice; or
- (d) Has been acquitted; or
- (e) Lacked the capacity to commit an offense; or
- (f) Is a law enforcement officer or other government agent who did not intend that a crime be committed.

Former Washington State Attorney General Robert Ferguson was aware of these laws and determined to undermine the political power of the people in order to cover-up his personal criminal acts and use public offices to continue to cover –up his criminal career, where despite a charging document submitted to him by the Washington State Patrol he refused to prosecute former Washington State Governor Jay Inslee’s law partner Gregory Ursich, for engaging in (RICO) organized crimes in the Federal and State Courts of Washington State.

GRAND JURY DEMAND

A Grand Jury is demanded as identified in RCW 2.36.010 (3) and RCW 36.27.020 (9). As such you are notified that in order to properly move forward with this case according to law you must remand this case to a superior court with the proper jurisdiction and instruct it to call a Grand Jury investigation as required by law, otherwise you will be joining their criminal conspiracy. The demand should include a demand to appoint a special prosecutor that is not loyal to the individuals identified herein. A request is also made not to use "Artificial

³ RCW 9.81.020 Subversive activities made felony—Penalty.

(1) It is a class B felony for any person knowingly and willfully to:

(a) Commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of the government of the United States, or of the state of Washington or any political subdivision of either of them, by revolution, force or violence; or

(b) Advocate, abet, advise, or teach by any means any person to commit, attempt to commit, or assist in the commission of any such act under such circumstances as to constitute a clear and present danger to the security of the United States, or of the state of Washington or of any political subdivision of either of them; or

(c) Conspire with one or more persons to commit any such act; or

(d) Assist in the formation or participate in the management or to contribute to the support of any subversive organization or foreign subversive organization knowing the organization to be a subversive organization or a foreign subversive organization; or

(e) Destroy any books, records or files, or secrete any funds in this state of a subversive organization or a foreign subversive organization, knowing the organization to be such.

(2) Any person upon a plea of guilty or upon conviction of violating any of the provisions of this section shall be fined not more than ten thousand dollars, or imprisoned for not more than ten years, or both, at the discretion of the court.

1 Intelligence” to select Grand Jurors that are loyal to the former prosecutors. Please notify me as
2 to when and where I can present my evidence and witness list to the Grand Jury.

3 The subversive actions of these rouge individuals have created a Public Nuisance that
4 involves the taking of the political power of the people here in Washington State, and attacking
5 our domestic tranquility, that the United States Department of Justice and the United States
6 Supreme Court Justices should not ignore and make a priority to address, as required by RCW
7 9.66.030 Maintaining or Permitting a Nuisance⁴.

8 Dated this 13 day of February 2025, By and for 

9 James J. O'Hagan, all rights and protections reserved.

⁴ RCW 9.66.030 Maintaining or permitting nuisance.

Every person who shall commit or maintain a public nuisance, for which no special punishment is prescribed; or who shall wilfully omit or refuse to perform any legal duty relating to the removal of such nuisance; and every person who shall let, or permit to be used, any building or boat, or portion thereof, knowing that it is intended to be, or is being used, for committing or maintaining any such nuisance, shall be guilty of a misdemeanor.

CERTIFICATE OF SERVICE

I James J. O'Hagan swear under penalty of perjury of the laws of the State of Washington that on February 13, 2025 I mailed and or emailed a true and correct copy of the foregoing with exhibits attached to the following:

U.S. District Court Clerk	President Donald Trump	U.S. Dept. of Justice
700 Stewart St. Suite 2310	1600 Pennsylvania Ave. NW	950 Pennsylvania Ave. NW
Seattle WA 98101	Washington D.C. 20500	Washington D.C. 20530
Congress Subcommittee on	Congress Subcommittee	U.S. Senate Subcommittee
Courts, Commercial & Adm. Law	on the Constitution	on Adm. Oversight & Courts
517 Cannon H.O.B.	H2-362 Ford H.O.B.	224 Dirksen Senate Office Bldg.
Washington D.C. 20515	Washington D.C. 20515	Washington D. C. 20510
Washington State BAR Assn.	Seattle Division FBI	Nick Brown
1325 4th Ave. Suite 600	1110 3 rd Ave.	Nick.brown@atg.wa.gov
Seattle WA 98101	Seattle WA 98101-2904	bob.ferguson@gov.wa.gov
Washington State Supreme Court Justices	Virginia Shogren	WA State Republican Party
P.O. Box 40929		
Olympia WA 98504-0929		

My supporters and next friends

Signed under penalty of perjury this 13 day of February, 2025.

By James J. O'Hagan

RECEIVED
THURSTON COUNTY AUDITOR

NOV 17 2022

NOV 17 2022

Thurston County Commissioners
RECEIVED

King County Prosecuting Attorney's Office

BY

NOV 17 2022

JAMES NOW Political Prisoner James O'Hagan for and on behalf of the Pacific County

NOV 17 2022

Tea Party, in an attempt to protect our domestic tranquility and address a public nuisance that has developed over time that is causing civil unrest to the point many people are calling for civil rebellion against our state and federal governments, we submit this extremely serious criminal complaint under penalty of perjury on the following to the following:

CRIMINAL COMPLAINT ON Joseph Biden, Kamila Harris, Jay Inslee, Robert Ferguson, Washington State Supreme Court Justices Debra L. Stephens, Charles W. Johnson, Barbra A. Madson, Susan Owens, Steven C. Gorzalez, Gordon McCloud, Mary I. Yu, Montoya Lewis, G Helen Witner, Division II Court of Appeals Justices, Jill Johanson, Acting Chief Judge, Thomas Bjorgen J. Robin Hunt, Joel M Penoyar, Christine J. Quinn-Brintnall & David Ponzoha, Secretary of State Kim Wyman, Washington State Bar Association faculty and members, Superior Court Judges Michael Evans, Judge James Dixon, Judge Chris Lanse, Mayor Jenny Durkin, Seattle City Council Members, Washington State Law Professors, Washington State Democratic Party, National Democratic Party, Media Conglomerates 1-100 and various social media conglomerates.

AND TO; Washington State County Auditors 1-39 requesting that they remove their false certification regarding the counting and tallying of the voter's ballots, and only certify the verification and tallying of the legal ballots that were cast in the 2022 election. We order them to cease and desist all forms of deceit and deception surrounding the use of the mass mail in ballots and order a new election that requires voting in person with the proper identification documents. As described in RCW 9.66.030 it is a criminal act to maintain or permit a public nuisance.

AS DESCRIBED IN 18 USC SECTION 4 MISPRISION OF FELONY 18 SECTION 2382 MISPRISION OF TREASON WE THE MEMBERS OF THE PACIFIC COUNTY TEA PARTY OFFICIALLY ALSO SUBMIT THIS CRIMINAL COMPLAINT ON THE FOREGOING TO THE FOLLOWING

As described in RCW 2.36.010 (7) we the Pacific County Tea Party members are also submitting this official criminal complaint for fraud crimes, election crimes, subversive activities, seditious activities and treason onto the following and demanding the county sheriffs call an inquest jury to investigate our criminal allegations, because as we describe below we believe the majority of the State and Federal Bar Associations are directly involved in the criminal conspiracy we describe herein or are willing accomplices, and we have no faith that the State and Federal Bar Association members who are obligated by law to address these matters as described in RCW 36.27.020 Duties. The prosecuting attorney shall: (9) Present all violations of the election laws which may come to the prosecuting attorney's knowledge to the special consideration of the proper jury; and RCW 29A.84.720 Officers—Violations generally. will take our criminal complaint seriously and the county prosecutors will not call a Grand Jury as instructed to do so in RCW 36.27.020 Duties, RCW 29A.84.720 Officers—

Violations generally and RCW 10. 27.030 Summoning Grand Jury to investigate our criminal allegations and protect our domestic tranquility. So therefore we also submit this criminal complaint to the following in hopes the political power of the people and our free elections have not also been completely overthrown by the members of the judicial branches who have violated the separation of powers and infiltrated our legislative and executive branches, to be in a position to execute these treasonous actions. We stipulate these public officials who took oaths to protect us from these kinds of subversive activities, by acting in omissions to our complaint are in violation of their oaths of office and are acting in a private capacity.

TO Washington State County prosecutor's 1-39,

And To: Washington State County Sheriffs 1-39,

And To; Washington State Republican Party Chairman

All of the Washington State Officials accused above have a history of fraud and engaging in election crimes, as documented in State of Washington Vs Donald Trump cause nos. 17-35105, DC no. 2:17-cv-00141, State of Washington vs. James O'Hagan cause no. 16-1-00207 -1, James O'Hagan vs. State of Washington cause nos. 52032-0-II, 95987-1,99094-8, U.S. District Court cause no. C20-5396RBL, State of Washington vs Rick Satcher cause no.17-1-00649-21, Rick Satcher vs State of Washington cause nos. 54515-2-II, 98169-8 & 98497-2. The Judges and Justices identified herein and Attorney General Robert Ferguson all engaged in actions to join Jay Inslee's law partners criminal actions and cover them up so these individuals would be re-electable, thus holding onto the capacity to cover-up each other's organized crimes and criminal activities (RICO). These individuals also engaged in actions of fraud and thefts to cause economic hardships to James O'Hagan and his political supporters in an effort to hamper their economic recovery efforts and prevent them from financing James O'Hagan's political campaigns and silence his political efforts to expose the organized crimes and public corruption occurring within the Washington State Bar Association.

We the accusers will provide evidence to show all of the Washington state officials accused above have a history of colluding with media conglomerates to execute fraud and engage in political cover-ups, thefts, bribery and election crimes. We the accusers will provide evidence to show that Jay Inslee Robert Ferguson, Seattle Mayor Jenny Durkin and the others identified herein have a history of engaging in fraud, solicited and supported groups like CHAZ to overthrow our constitutional form of government used public funds and public offices to incarcerate and silence their political opponents, threats and violence to intimidate voters, and used public funds to bribe voters and public offices for their personal political campaigns.

For decades now the members of the state and federal judicial branches have been violating the separation of powers and infiltrating our legislative and executive branches to enhance and protect their judicial fraud industry and most lifer politicians either supports it and protects it, (held hostage by it), or is silenced and barred from public office by members of the judicial branches. Their actions have become so out of control that they now believe they can completely control all aspects of our government which has corrupted and polluted our

governments, destroyed the political power of the people and attacked our domestic tranquility.

Joseph Biden, Kamila Harris, Jay Inslee, Robert Ferguson and other members of the state and national democratic parties have been using public funds to bribe voters and public offices for their personal political campaigns, which is not allowed as described in RCW 9A.68.050 Trading in special influence and RCW 9A.68.030 Receiving or granting unlawful compensation. They have been bribing voters and engaging in corrupt solicitation of voters by promising them they will, if elected use public funds to pay off their public and private debts and increase social programs and benefits. This is in violation of our United States Constitution as described in USC Article IV section 1 Faith and Credit Among States, USC Article IV section 4 Guarantee of Republican Government, USC Article III section 3 Treason, Proof and Punishment, Amendment XIV section 3 Persons Disqualified From Holding Office and our Washington State Constitution as described in WSC Article I section I Political Power, WSC Article II Section 30 Bribery or Corrupt Solicitation, Article I section 12 Special Privileges and Immunities Prohibited, it is also a violation of RCW 42.17.010 Declaration of Policy , RCW 42.17.020 Definitions, and described as criminal in RCW 29A.84.062 Hindering or Bribing Voter, RCW 42.17.128 Use of Public funds for Political Purposes, RCW 42.20.060 Falsely Auditing and Paying Claims, RCW 42.20.080 Other Violations by Officers , RCW 42.20.090 Failure of Duty by Public Officer a Misdemeanor, and RCW 29A.84.720 Officers Violations Generally.

Nothing in our constitutional trust agreements allows private property to be taken for social programs; in fact private property in the form of taxes can only be taken for the very narrow minute reasons identified in our constitutional trust agreements. The only argument that can be made that allows taxes to be used for social programs is the "In God We Trust" clause that refers to Christianity, which places moral obligations on us to treat others, how we expect ourselves to be treated. The "In God We Trust" clause is very different from the teachings of the Koran in which "Nobility" is preached and celebrated, where in the Muslim religion people of "Nobility" have the absolute right to take advantage of the less fortunate, which is directly against everything our constitutional trust agreements stand for, which require no special privileges and immunities, accountability and equal protections of law and equal opportunities. When equal opportunities in the form of taxation are taken to support social programs it is a constitutional violation and extortion as described in our criminal codes.

There is no doubt each and every constitutional scholar (and thus every law professor) is fully aware socialism is strictly prohibited in our constitutional trust agreements. Every member of the judiciary that stood by and accepted the force of socialism onto us acted in omission and was complicit in the subversive activities and motivated by their own interests in the judicial fraud industry that sells injustices to the highest bidders. We cannot stop the creation of "Nobility" if we cannot publically address the judicial fraud industry. Each and every law professor and teacher that taught strategies of the judicial fraud industry such as deceit and deception to their students instead of strict compliance with our constitutional trust agreements is guilty of engaging in subversive and seditious activities.

Many of the political candidates identified above openly and publically admit they are socialists and support a socialist movement which is nothing more than a sales pitch line for a communist takeover and is in violation of our constitutional foregoing specifically USC Article IV section 4 Guarantee of Republican Government he / they are engaging in treason or

insurrection against the United States as described in RCW chapter 9.81 Subversive Activities, specifically RCW 9.81.010 Definitions, RCW 9.81.020 Subversive Activities Made Felony RCW 9.81.082 Membership in subversive organization described, RCW 9.81.083 Communist Party declared Subversive Organization, and Treason as described in 9.82.020 Levying War and RCW 9.82.030 Misprision of Treason. These public officials have engaged in actions that were used by Hitler's Nazi Gestapo Party such as using mass media to force their communist beliefs onto society and brainwashing naive adolescents to force their communist beliefs onto society, for which they promised them pecuniary and other benefits. These actions were considered so horrific to free societies that they were banned by moist free world governments.

The democratic leaders mentioned above Jenny Durkin the Seattle city council, and others in the largest metropolitan areas across our nation interfered with commerce and ran industries out of their cities with regulations, taxation and criminal sabotage. They destroyed the economics so bad in these metropolitan areas that most of the population is now dependent upon social programs they cannot support so they solicited and supported rioting and looting in an effort to force voters to vote for them and their accomplices. Now they are determined to take individuals lives, liberties, personal and real properties through taxation in order to satisfy their social programs, which is in violations to taking property for public use without compensation ie an illegal takings that amounts to theft and extorcion. Their actions are in violation of **RCW 29A.84.620 Hindering or bribing voter, RCW 29A.84.630 Influencing voter to withhold vote and RCW 29A.84.720 Officers—Violations generally.**

The individuals identified herein and others engaged in threats, violence, kidnapping, incarceration of their political opponents and used the corona virus to allow voters to cast multiple ballots in order to destroy our free elections and control the outcome of our elections.

PUBLIC INSTRUCTION TO CEASE AND DESIST SUBVERSIVE ACTIVITES WITH TREASONOUS INTENT

The public officials named in this criminal complaint are hereby instructed to cease and desist their criminal actions, subversive activities and acts of treason described in the foregoing. Specifically you are instructed to inform your following, and the public that you have wrongfully bribed voters and influenced their votes by promising them the use of public funds for their and your personal benefit, and that you engaged in or were complicit in engaging in bribery, threats, violence, kidnapping and incarceration of your political opponents and condoned the use of the corona virus to allow illegal voters to cast multiple votes for you and your political allies. That it was and is illegal for you to interfere with our free elections and you are voluntarily forfeiting your public office. If you continue you will be put on public trial for interfering with our free elections and attacking our Republican Form of Government by engaging in the criminal actions expressed herein. Be certain that if you were aware of these actions and you acted in omission to them and or voted to increase or protect any monetary or pecuniary benefits they described to you, you are direct accomplices and or complicit to their criminal subversive activities. Fail not in your own peril.

If you fail to heed to this public instruction I am requesting the Pentagon steps in to protect us from these enemies from within our country that are failing to heed to the laws that were established to keep them from submitting the people to these criminal acts as described

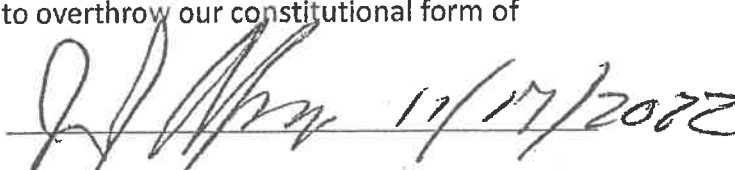
in USC Article IV section 1 Faith and Credit Among States, USC Article IV section 4 Guarantee of Republican Government, USC Article III section 3 Treason, Proof and Punishment, Amendment XIV section 3 Persons Disqualified From Holding Office and RCW chapter 9.81 Subversive Activities, specifically RCW 9.81.010 Definitions, RCW 9.81.020 Subversive Activities Made Felony RCW 9.81.082 Membership in subversive organization described, Treason as described in 9.82.020 Levying War. Clearly acting in omissions to these laws under the circumstances complained of herein, are acts of treason and Levying War against the people and as described in RCW 9.82.030 Misprision of Treason if you fail to summon either an inquest jury or a Grand Jury Investigation into this intent to overthrow our constitutional form of government, and call us and our supporters to testify to the criminal violations we have witnessed and described herein.

We reserve our protection of law to have a inquest jury and/ or Grand Jury determine the factual allegations involved in this criminal complaint and if you are a public official who engages in actions to prevent a jury from doing so, we stipulate you are joining the criminal conspiracy to engage in subversive acts overthrow our constitutional form of governments.

We also reserve the right to be present when the jurors are selected to be called to jury duty in these matters to insure they are randomly selected from members of the communities the reside in.

If requested we will provide the receivers of this criminal complaint 44 additional pages where we have carefully cited the constitutional provisions, State and Federal criminal codes these public officials have violated and we are ready and willing to bring forth our evidence and testify before either / or both an inquest jury and/ or a Grand Jury as to their crimes, subversive, seditious and treasonous intent to overthrow our constitutional form of government.

Very Truly Yours,


James J. Jimi O'Hagan, by and for the Pacific County Tea
Party, all rights and protections reserved. 2298 Cranberry
Rd. Grayland WA 98547 (360) 581-7261



CC Advocate Generals Pentagon, Regarding the crimes attested to herein, from these enemies from within our Great County.

----- Forwarded message -----

From: James <wayoutwest1@hotmail.com>

Date: Sun, Mar 20, 2022 at 3:46 PM

Subject: FW: CRIMINAL COMPLAINT FOR INTERFERING WITH OUR FREE ELECTIONS ATTACHED

To: Virginia Shogren <vsogren@gmail.com>

Sent from Mail for Windows

From: James

Sent: Monday, November 9, 2020 9:32 AM

To: supreme@courts.wa.gov; randyf@co.adams.wa.us; dalew@co.adams.wa.us; bnichols@co.asotin.wa.us; jhilderbrand@co.asotin.wa.us; andy.miller@co.benton.wa.us; Jerry.Hatcher@co.benton.wa.us; douglas.shae@co.chelan.wa.us; brian.burnett@co.chelan.wa.us; mnichols@co.clallam.wa.us; bbenedict@co.clallam.wa.us; tony.golik@clark.wa.gov; chuck.atkins@clark.wa.gov; Dale_Slack@co.columbia.wa.us; joe_helm@co.columbia.wa.us; Jurvakainen.ryan@co.cowlitz.wa.us; thurmanb@co.cowlitz.wa.us; gedgar@co.douglas.wa.us; kmorris@co.douglas.wa.us; kiburke@wapa-sep.wa.gov; rmaycumber@co.ferry.wa.us; ssant@co.franklin.wa.us; jraymond@co.franklin.wa.us; mnewberg@co.garfield.wa.us; dhyer@co.garfield.wa.us; gdano@grantcountywa.gov; tjones@grantcountywa.gov; ksovoboda@co.grays-harbor.wa.us; rscott@co.grays-harbor.wa.us; gregb@islandcountywa.gov; rickf@islandcountywa.gov; Jkennedy@co.jefferson.wa.us; jnole@co.jefferson.wa.us; dan.satterberg@kingcounty.gov; mitzi.johanknecht@kingcounty.gov; cenright@co.kitsap.wa.us; gsimpson@co.kitsap.wa.us; greg.zempel@co.kittitas.wa.us; clay.myers@co.kittitas.wa.us; davidq@klickitatcounty.org; bobs@klickitatcounty.org; jonathan.meyer@lewiscountywa.gov; robert.snaza@lewiscountywa.gov; jbarkdull@co.lincoln.wa.us; wmagers@co.lincoln.wa.us; michael@co.mason.wa.us; caseys@co.mason.wa.us; anoma@co.okanogan.wa.us; thawley@co.okanogan.wa.us; Mark McClain; rsouviner@co.pacific.wa.us; dhunt@pendoreille.org; sheriff@pendoreille.org; Mary.Robnett@piercecountywa.gov; ppastor@co.pierce.wa.us; randyg@sanjuanico.com; ronaldk@sanjuanico.com; prosecutor@co.skagit.wa.us; donmc@co.skagit.wa.us; kick@co.skamania.wa.us; daveb@co.skamania.wa.us; acornell@snoco.org; adam.fortney@snoco.org; lhaskell@spokanecounty.org; oknezovich@spokanesherriff.org; trasmussen@co.stevens.wa.us; bmanke@stevenscountywa.gov; tunheij@co.thurston.wa.us; snazaj@co.thurston.wa.us; bigelowd@co.wahkiakum.wa.us; howiem@co.wahkiakum.wa.us; jnagle@co.walla-walla.wa.us; mcrider@co.walla-walla.wa.us; erichy@co.whatcom.wa.us; belfo@co.whatcom.wa.us; prosecutor@co.whitman.wa.us; sheriff@co.whitman.wa.us; joseph.brusic@co.yakima.wa.us; robert.udell@co.yakima.wa.us

Cc: robert.powers; muriel.adams; alexk; Arne.Mortensen; askdoj@doj.gov; Anne.Block; Anne.Giroux; a@truedemocracy.net; angus3@msn.com; Andy.Billig@leg.wa.gov; Annette.Cleveland@leg.wa.gov; andrea.januta@thomsonreuters.com; We.the.People.Your.Voice.in.Our.Government; Emily.Anderson; ProSe.America; Bill.Scheidler; bob.bozarth; [Beneski,Kristin\(ATG\)](mailto:Beneski,Kristin(ATG)); Bill.Cox; briangreenband@tds.net; dan.baily; KC.Hile; Emily.Boerger & Kylie.Walsh, Washington.State.Wire; blake.morrison@thomsonreuters.com; bandldavis@scattercreek.com; Jeff.Banta; Earl.Bowerman; Doug.Bates; Charmaign.Edwards; Cody.Hart; cowlitzgop.chairman@gmail.com; Norma.Peters; cestuique@gmail.com; Christy.Reed; CorderoRic@yahoo.com; caroline.monahan@thomsonreuters.com; Donald.J.Trump; Fox.News; kerry.deitch; WAdocs; danny.ohagan; Don.Railsback; Dr.Richard.Cordero,Esq.; Lorne.Dey; Edward.Snook; elena@judgewatch.org

Embry Jules; editor@lawfulpath.com; Tim Eyman; ED N LIZ ENGELSON; finnpower2@gmail.com;
farmerdidier@gmail.com; Jeanette Finicum; mike woudley; Frick, Mitzi; no ne; Tom Fitton; Tom Fitton;
gbonagofski@gmail.com; GoldBarReporter; Gary Hunt; Glen Morgan; George McDermott;
gary@oaneamericanpatriot.com; gregtodd1127@gmail.com; john.gray9520@gmail.com;
herbertschwa1@gmail.com; henryj5@thesuperhwy.com; hiddencabin@gmail; hirstLeRoy@gmail.com;
 Nate Hockett; kevin hunter; Hargrove, Sen. Jim; ingrahamangle@foxnews.com; investigate@kirotv.com;
isabella.jibilian@thomsonreuters.com; Jaime Herrera Beutler; Lynne Malone; Tom Fitton; justin russell;
judicialmisconduct@googlegroups.com; john.shiffman@thomsonreuters.com; Ricky Jean;
kountzkeeley@gmail.com; kelly.chambers@leg.wa.gov; ktennantdc@gmail.com;
larry@larryseaquist.com; lindatolliver@yahoo.com; Legislative Ethics Board Update; lisaa@wsba.org;
lon@gibbymedia.com; Marc Russell; [Rollins, Michael D. \(SE\) \(FBI\)](mailto:Rollins, Michael D. (SE) (FBI)); marksmushrooms@yahoo.com; Mike O;
Mecheal Meskeu; Ronald Madderra; nadiaskin@netzero.com; Noel.Frame@leg.wa.gov;
Norm.Johnson@leg.wa.gov; O'Hagan, Shawn; ohaganrebekah@gmail.com;
olympiateaparty@gmail.com; patrick ohagan@comcast.net; president@whitehouse.gov; Sue Kuehl;
Pederson; PeacefulStreets LewisCounty; pete.hausler@thomsonreuters.com; Wally;
utazpatriots@gmail.com; Rick Satcher; Roger Roots; Richard Vinson; Robin Lund; Scott Whittington;
sara.beigh@lewiscountywa.gov; secretaryofstate@sos.wa.gov; tolliverdawn7@gmail.com;
Vincent.Buys@leg.wa.gov

Subject: CRIMINAL COMPLAINT FOR INTERFERING WITH OUR FREE ELECTIONS ATTACHED

Exhibit 2

AFFIDAVIT OF FACT OF JAMES J. O'HAGAN

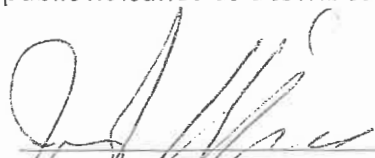
I JAMES J. O'HAGAN swear under the penalty of perjury the following is true and correct to the best of my knowledge.

1. I have read the declaration of Patty Johnson dated January 18, 2022 and I believe the Department of Social and Health Services is engaging in the same type of subversive activities that is intended to dilute our voter pool and provide opportunities to defraud legal voters.
2. Currently I am an unlawfully held political prisoner of the State of Washington.
3. I worked with Virginia Shogren to summon a Grand Jury investigation into these same similar matters regarding the 2020 election and I have been identified as a witness in that case.
4. Recently I went into the Department of Social and Health Services and signed up for medical benefits.
5. While there signing up for medical benefits I was urged to register to vote.
6. The DSHS employee urging me to register to vote was not concerned that I may be a felon or non- resident person, their main concern was that I registered to vote.
7. I felt like I was being bribed with my ability to receive medical benefits if I registered to vote with them.
8. I denied to register to vote with them and was denied medical benefits.
9. It appears to me that DSHS employees and other politicians are bribing felons and non-U.S. citizens with promises of social benefits in order to get them to register to vote in order to dilute the voter pool to force their political agenda's onto the people and protect their public employment.
10. It also appears to me that these actions involve a well organized criminal effort by the current political regime to hold onto power here in Washington State and beyond by whatever means necessary.
11. It is the prosecutors duty as described in RCW 36.27.020 Duties (9) to call the proper jury to investigate these matters and it is also the duty of the members of the

canvassing boards to see that he/or she does, as described in RCW 29A.84.720 Officers-Violations Generally.

12. Virginia Shogren and I are in agreement that acting in omission to the matters addressed herein falls under the criminal code of Officers –Violations Generally (RCW 29A.84.720) and permitting and/ or maintaining a public nuisance as described in RCW 9.66.030.

Dated this 22nd day of November 2022, by


James J. O'Hagan
2298 Cranberry Rd. Grayland WA 98547

DECLARATION OF PATTI JOHNSON

I, Patti Johnson, do hereby declare:

1. I am fully familiar with all facts declared herein.
2. I am a retired employee from the Washington State Department of Licensing (“DOL”). I worked for the State of Washington for 30 years, 19 of those years for the DOL. I retired in November 2018.
3. I started working for the DOL in 1998 at a time when Washington was offering voter registration services through the DOL consistent with the National Voter Registration Act (“NAVA”) better known as the “Motor Voter” law.
4. I was required to register customers to vote as a DOL employee. Initially, the DOL provided us a paper form for the customer to fill out if they wanted to register to vote. The customer would fill out the form, hand us the completed form, and we would turn the forms in every week.
5. The system changed when the DOL became computerized and began using a DOS system. Then in approximately 2000, the DOL changed its system from DOS to Windows. On the Windows operating system, we were presented with boxes to check (click on) for “organ donor” and for “voter registration”.
6. Instead of handing the customer a form, we were now required to ask the customer whether they wanted to be an organ donor or wanted to register to vote.
7. We were not allowed to do any checks to see if the customer was someone who would be legally able to vote. Often, the customer would present documents (for the license

application) that would indicate the customer was not an American citizen and thus not eligible to vote. However, we were instructed as employees to ask them only if they wanted to register to vote (with no other questions allowed), and we were required to click the box to register them as a voter if they said 'yes' regardless of the information presented by the customer.

8. In September 2018, approximately two months before I retired, the DOL began using a new system in which the software was programmed such that the voter's registration box was *already* checked.

9. The new system automatically registers the customer to vote without requiring the question to be asked/answered and with no other questions or documentation required. We were only required to read the voter eligibility requirements in the customer's native language. However, for Spanish speakers, I noticed that the Spanish language script we read was not understandable by most of our customers presumably because they were from a country that spoke a different dialect of Spanish.

10. The DOL also changed its policy with regard to address confirmation over the years. At times, the DOL required proof of residency, at other times, no proof of residency was required. For the majority of my years at the DOL, customers did not have to prove their address. Even during the times that proof of residency was required, any form of mail (such as junk mail or random flyers in the mail) could be used.

11. Prior to 2018, when we were still required to ask the question of whether the customer wanted to register to vote, some of the customers were not fluent in English and had a language barrier. I was required to ask the question on voter registration, and if they did not

respond, I would say “yes” or “no”? If the customer answered “yes”, I would have to click the box even though it was clear the customer had not understood the question.

12. I also witnessed an admitted felon being pressured to register to vote by my supervisor. The customer knew he was not able to vote due to his criminal record from another state, and did not want to register in Washington State out of caution. My supervisor got into a discussion (almost an argument) with him about it and tried to talk him into registering. The customer finally said “no”, and I went with what the customer wanted even though it was clear my supervisor was not happy with me.

13. The laws have also changed to allow later and later voter registration. For the 2016, 2017 and 2018 elections, I noticed people came to the DOL in unusually large numbers and at the last minute to register to vote through the DOL. We could only register them to vote if they got a DOL service such as getting a license, having their picture taken again, or some other service. It appeared to me that they would pay the \$10 to get their picture taken again (or some other service done) just so they could register to vote. And it was an unusually large number of people coming in. This last minute crowd wanting to register had not happened for any other election prior to 2016.

14. During my 19 years at the DOL, I expressed concern on numerous occasions to my supervisors about what I perceived to be a registration system that was designed to register non-citizens. When I first started working, I served a customer who had provided me many documents from Guatemala, was not a US citizen, but said ‘yes’ to the question of wanting to register to vote. I went in and told my supervisor at that time that I know the customer is not eligible to vote. My supervisor said “that doesn’t matter, your job is to ask them if they want to vote and if they want to vote you click the box and it goes to the auditor. That’s their job.”

Numerous supervisors told me essentially the same thing: that my job is to ask the question and click the box – end of story. I was told this by numerous supervisors, not just one. I asked the question a few times because I worked in a few different offices in the state.

15. I know other employees have made similar complaints to supervisors about the registration system, and they have received similar answers. It is clear to me and other employees with whom I have communicated that the actual eligibility to vote does not matter, just the act of getting people registered to vote.

16. I also noticed over time that it is now easier for someone who is not a US citizen or Washington State citizen to get a Driver's License than it is for a Washington State citizen.

17. We had regular meetings on Thursdays for updates, etc. We were told to be sure to ask the customer if they wanted to register to vote and be an organ donor. If I brought up a question at these meetings regarding how to handle customers who were not eligible to be registered to vote (but said 'yes' they wanted to vote), I was told to register them to vote. That was our job. It was the auditor's job to figure out if they were eligible.

18. We were also instructed to create potential double voter registrations. Prior to 2018, when customers came in to renew a license, the system did not show whether they were already registered to vote. The records would come up on the computer screen and the voter registration box would not be checked, so we would ask them, "do you want to update your voter registration?" If the customer said "yes," we would check the voter registration box. We were not allowed to ask whether they were already registered to vote.

19. It was clear to me over the course of my DOL career, that supervisors of the DOL actively and knowingly caused large numbers of noncitizens to be registered to vote in Washington State elections and coerced and pressured the DOL employees to comply through being forced to check boxes on software without ability to question, verbal orders, intimidation, and threats of punishment.

20. I retired early. I wanted to work longer, but it became too difficult for me to watch noncitizens getting automatic voter registration and receiving preferential treatment over Washington State citizens.

21. I keep in touch with employees still working for the DOL through a Facebook site for present and past DOL employees. I was informed by current employees at the DOL after I retired that the current employees had received an email informing them they are not supposed to be a part of that site.

22. While a DOL employee, I was able to see how many licenses, IDs and registrations were obtained each day through a printout of the computer entries. I do not know the exact number of noncitizens registered to vote at the DOL, however, I do believe based on what I witnessed, that the numbers are high enough to affect races because I watched it happening virtually every day over a 19 year period.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 18, 2022

Patti L Silvesan Johnson

Patti Johnson

Signature: Patti L Silvesan Johnson
Patti L Silvesan Johnson (Jan 18, 2022 21:51 PST)

Email: sunshed@yahoo.com

Exhibit 2 cont

HONORABLE MICHAEL P. PRICE
Noted for: April 22, 2022 at 8:30 a.m.

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF LINCOLN

WASHINGTON ELECTION INTEGRITY)	Case No. 212-00042 22
COALITION UNITED, a Washington)	
State Nonprofit Corporation; JERRY)	
SCHULZ.)	
Plaintiffs,)	PLAINTIFF WEICU'S MOTION
v.)	FOR RECONSIDERATION
CHANDRA SCHUMACHER, Lincoln)	
County Auditor; LINCOLN COUNTY.)	
and DOES 1-30, inclusive.)	CR 59(a)(1),(2),(7),(9)
Defendants,)	
WASHINGTON STATE DEMOCRATIC)	
CENTRAL COMMITTEE.)	
Intervenor Defendant.)	

Plaintiff Washington Election Integrity Coalition United, a Washington State Nonprofit Corporation ("WEiCU") respectfully submits the following motion for reconsideration of this Court's Order Granting Defendants' Motion to Dismiss filed March 28, 2022. (Shogren Decl., Exh. B.)

PLAINTIFF WEICU'S MOTION FOR
RECONSIDERATION

VIRGINIA P. SHOGREN, P.C.
961 W. OAK COURT
SEQUIM WA 98382
360-461-5551

1 followed the plain language of statutory law. As such, the claims – singly or collectively - may
 2 not be deemed “frivolous”, nor has this Court found that the action, in its entirety, is frivolous.

3 **FINDING 6: “Plaintiffs’ claims . . . were interposed for improper purposes.”**

4 The Court’s finding that Plaintiffs’ claims were interposed for improper purposes is
 5 contrary to law. (CR 59(a)(7), (9).) This action was filed in an effort to enforce the election laws
 6 of Washington State that are enacted in order to guarantee free and equal elections consistent
 7 with the Washington State Constitution.
 8

9 **IRREGULARITY 7:** The Court’s dismissal of claims not subject to Defendants’ motion is
 10 contrary to law. (CR 59(a)(1), (7), (9).) Defendants did not seek dismissal of Causes of Action XI
 11 or XII either in their moving papers, during oral argument, or in their proposed order adopted by
 12 this Court. The Court should not dismiss causes of action that were not addressed by Defendants’
 13 motion, yet the Order does not exempt Causes of Actions XI or XII from the blanket dismissals.
 14

15 **IRREGULARITY 8:** This Court entertained and granted a Motion to Dismiss brought in
 16 contravention of, *inter alia*, RCW 9A.80.010 and RCW 29A.84.720. (CR 59(a)(1), (9).) At the
 17 very least, the Court should have asked for briefing regarding the apparent conflict of interest
 18 between the prosecutor’s dual duties.
 19

20 Prosecuting attorneys have a mandatory statutory duty to prosecute all violations of the
 21 election laws which may come to their knowledge; violation of their election related duty
 22 constitutes a class C felony and requires forfeit of office:³
 23

24
 25
 26 ³ The Deputy Prosecutor was advised of the violation of duty via letter dated March 24, 2022, a
 27 copy of which is attached to the Declaration of Virginia P. Shogren, filed herewith, and
 28 incorporated herein by this reference.

1 The prosecuting attorney shall:" "Present all violations of the election laws which
2 may come to the prosecuting attorney's knowledge to the special consideration of
3 the proper jury. . . .

4 * * *

5 Every person charged with the performance of any duty under the provisions of
6 any law of this state relating to elections . . . who willfully neglects or refuses to
7 perform such duty, or who, in the performance of such duty, or in his or her
8 official capacity, knowingly or fraudulently violates any of the provisions of law
relating to such duty, is guilty of a class C felony punishable under RCW
9A.20.021 and shall forfeit his or her office.

9 (RCW 36.27.020(9); RCW 29A.84.720); *see also*, RCW 9A.80.010 "Official Misconduct" "(1) A
10 public servant is guilty of official misconduct if, with intent to obtain a benefit or to deprive
11 another person of a lawful right or privilege . . . [h]e or she intentionally refrains from
12 performing a duty imposed upon him or her by law.".)

13 Over the past few months, the Deputy Prosecutor has actively defended against the
14 verified facts and allegations of legal violations of election procedure, falsely alleging the matter
15 is an election contest subject to dismissal, threatening attorney fees sanctions against Plaintiffs
16 on multiple occasions, and filing a motion to dismiss the action to avoid discovery.⁴⁵ (*See, e.g.*,
17 Shogren Decl., ¶¶ 2-7 [Deputy Prosecutor's continued objections to discovery after being further
18 notified of election law violations].)

21 _____
22 ⁴ WEiCU is informed and believes that Lincoln County Prosecutor Jeffrey S. Barkdull was
23 notified as early as November 9, 2020 of the prosecuting attorney's duties under RCW
24 36.27.020(9) by citizen complaint emailed to j barkdull@co.lincoln.wa.us. (Shogren Decl., ¶
9.)

25 ⁵ The close knit and pecuniary relationship between the Deputy Prosecutor and Lincoln County
26 Prosecuting Attorney Walser renders any claims of independent representation by the Deputy
27 Prosecutor questionable. The Deputy Prosecutor identified Mr. Walser as his "client" during a
28 recent teleconference. (Shogren Decl., ¶ 3.) As such, the Deputy Prosecutor's conduct raises
additional concerns for misconduct and trading in special influence under RCW 9A.68.050.

1 By virtue of the Deputy Prosecutor's *overt conduct* challenging the claims in the pending
 2 verified election integrity action as evidenced, in part, by correspondence and filings to date
 3 signed by the Deputy Prosecutor subject to CR 11, combined with the *omission* of adhering to
 4 statutory duties as they relate to investigating and prosecuting violations of the election laws, the
 5 Order is subject to reconsideration on grounds of irregularity in the proceedings.⁶ (RCW
 6 36.27.020(9).)

8 Based on the apparent conflict of interest and now-repeated violations of statutory law
 9 relating to prosecutorial duties, WEiCU hereby requests that this Court appoint an independent
 10 (and non-biased) special counsel to represent Defendants, and that said counsel cooperate *with*
 11 WEiCU in investigating the election law violations at issue before the proper jury consistent with
 12 RCW 36.27.020(9).⁷ (RCW 36.27.030 [court may appoint qualified person to discharge the
 13 duties of the prosecuting attorney when prosecuting attorney is unable to perform his or her
 14 duties].)

16 The Court should also take under advisement the summoning of a grand jury under RCW
 17 10.27.030 in the public interest given the apparent corruption within Lincoln County involving,
 18
 19

21 ⁶ WEiCU has previously acknowledged the duty to defend Lincoln County pursuant to RCW
 22 36.27.020(3). That duty, however, does not extend to the Lincoln County Auditor or to
 23 matters that specifically fall under RCW 36.27.020(9) relating to violations of election laws.
 24 Moreover, given the passage of several months, it is likely the Deputy Prosecutor has
 25 engaged in privileged communications with the Lincoln County auditor and/or her
 26 predecessor which would likely preclude a conflict waiver at this belated juncture. (*See,*
 27 *generally*, ABA Rule 1.7;
[https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of
 28 _professional_conduct/rule_1_7_conflict_of_interest_current_clients/comment_on_rule_1_7/](https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_7_conflict_of_interest_current_clients/comment_on_rule_1_7/)
 .)

⁷ In the alternative, WEiCU recommends that the Court require the deputy prosecutor to prove the proper authority under which he appears pursuant to RCW 2.44.030.

1 *inter alia*, the prosecuting attorney's ongoing, intentional and knowing failure to comply with
2 RCW 36.27.020(9).⁸


3
4 **CONCLUSION**

5 Each finding within the Order should be reconsidered by this Court. The irregularities in
6 this proceeding have been shown herein and should be corrected.

7 Respectfully submitted,

8 VIRGINIA P. SHOGREN, P.C.

9
10 Dated: April 4, 2022



11 By: Virginia P. Shogren, Esq.
12 WSBA No. 33939
13 961 W. Oak Court
14 Sequim, WA 98382
WEiCUattorney@protonmail.com

15 Attorney for Plaintiff WEiCU
16
17
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19
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21
22
23
24

25 ⁸ On March 31, 2022, the Deputy Prosecutor filed a declaration of fees for this action that
26 includes heavy redactions for all communications with third persons, both oral and electronic.
27 (Shogren Decl., ¶ 12, Exh. C.) WEiCU reserves all rights to object to the fee declaration, and
28 notes for purposes of this motion, that the deputy prosecutor is hiding the identity of his
contacts consistent with the statutory violations noted herein, and as such, has provided this
Court with further potential evidence of prosecutorial misconduct.

VIRGINIA P. SHOGREN, P.C.
ATTORNEY AT LAW

961 W. OAK CT
SEQUIM, WA 98382
(360) 461-5551

WEICUATTORNEY@PROTONMAIL.COM

MEMBER

WA. BAR 33939

March 24, 2022

Via Email

Paul J. Triesch, Esq.
Keating Bucklin McCormack, Inc.
801 Second Avenue, Suite 1210
Seattle, WA 98104

Re: WEiCU, et al. v. Schumacher, et al.
Lincoln County Superior Court Case No: 212-00042 22

NOTICE OF POTENTIAL CONFLICT OF INTEREST
REQUEST FOR COOPERATION

Dear Mr. Triesch,

As re-confirmed during our teleconference on March 16, 2022, you are currently acting as the Special Deputy Prosecuting Attorney for Lincoln County representing Defendants Lincoln County Auditor and Lincoln County in the above-referenced action.

As you are likely aware, prosecuting attorneys have a mandatory statutory duty to prosecute "all violations of the election laws which may come to [their] knowledge" (RCW 36.27.020(9).)

As you are also aware, WEiCU initiated this action on October 4, 2021, and Defendants were served with the Second Amended Verified Complaint on January 18, 2022, said complaint setting forth various violations of election laws in relation to the November 3, 2020 Election ("Election").

Over the past few months, on behalf of Defendants, you have actively defended against the verified facts and allegations contained within the verified complaint, alleging the matter is an election dispute subject to dismissal, threatening attorney fees sanctions against Plaintiffs on multiple occasions, and filing a motion to dismiss the action to avoid discovery.

Your conduct in this matter raises serious concerns of a potential conflict of interest in your capacity as a Special Deputy Prosecuting Attorney for Lincoln County. WEiCU asks that you forward this letter to Mr. Adam Wasler Prosecuting Attorney for Lincoln County and to the County's department of assigned risk (or equivalent).

I have included the following statutes for your review and convenience.

RCW 36.27.020(9):

“The prosecuting attorney shall:” “Present all violations of the election laws which may come to the prosecuting attorney's knowledge to the special consideration of the proper jury. . . .”

RCW 29A.84.720:

“Every person charged with the performance of any duty under the provisions of any law of this state relating to elections . . . who willfully neglects or refuses to perform such duty, or who, in the performance of such duty, or in his or her official capacity, knowingly or fraudulently violates any of the provisions of law relating to such duty, is guilty of a class C felony punishable under RCW 9A.20.021 and shall forfeit his or her office.”

POTENTIAL CONFLICT OF INTEREST

In your role as Special Deputy Prosecuting Attorney for Lincoln County, it is our understanding that you are obtaining a pecuniary benefit in the form of payment for services authorized by Lincoln County Prosecuting Attorney Adam Wasler.

By virtue of the Lincoln County Prosecuting Attorney's *overt conduct* challenging the claims in the pending verified election integrity action as evidenced, in part, by correspondence and filings to date signed by deputy special counsel subject to CR 11, combined with the *omission* of adhering to statutory duties as they relate to investigating and prosecuting violations of the election laws, it appears you have a conflict of interest in further representing Defendants in this action.¹ (RCW 36.27.020(9).)

Based on the apparent conflict of interest, WEiCU hereby requests that the Lincoln County Prosecuting Attorney cease and desist from further actions in violation of RCW 36.27.020(9) and provide immediate written agreement to cooperate *with* WEiCU in investigating the election law violations at issue before the proper jury. Absent your agreement to good faith cooperation, and with full reservation of all rights, WEiCU requests that the Lincoln County Prosecuting Attorney recuse from representation in the pending litigation. (RCW 36.27.020(9).)

Should you or Mr. Wasler for some reason question your actual knowledge of the election law violations at issue, WEiCU has enclosed non-exclusive evidence in the form of the Declarations of Tamborine Borrelli, Terpsehore Maras and J. Alex Halderman as further evidence of which you are hereby on notice.

Please also note that the County Prosecuting Attorney is a statutorily-authorized member of Lincoln County's Canvassing Board. (RCW 29A.60.140.) As set forth in the verified complaint,

¹ WEiCU has previously acknowledged the duty to defend Lincoln County pursuant to RCW 36.27.020(3). That duty, however, does not extend to the Lincoln County Auditor or to matters that specifically fall under RCW 36.27.020(9) relating to violations of election laws. Moreover, given the passage of several months, it is likely you have engaged in privileged communications with the Lincoln County auditor and/or her predecessor which would likely preclude a conflict waiver at this belated juncture. (*See, generally*, ABA Rule 1.7: https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_7_conflict_of_interest_current_clients/comment_on_rule_1_7/.)

the Election was improperly certified. As such, this constitutes an additional ground for a conflict of interest for the Prosecuting Attorney's office as defense counsel for this particular case.

REQUEST FOR COOPERATION

Please confirm in writing (email is acceptable) within 3 business days of receipt of this letter your agreement to cooperate in good faith *with* WEiCU to bring all relevant evidence before a proper judicial tribunal consistent with your express statutory duties under RCW 36.27.020(9).

If you decline this proposal, WEiCU reserves the right to bring this matter to the Court's attention.

Sincerely,



Virginia P. Shogren
Virginia P. Shogren, P.C.
961 W. Oak Court
Sequim, WA 98382
360-461-5551
WEiCUattorney@protonmail.com

Attorney for Plaintiff WEiCU

Encls.

cc: Kevin Hamilton, Esq.
Reina Almon-Griffin, Esq.
Amanda Beane, Esq.
Mr. Jerry Schulz

DECLARATION OF TAMBORINE BORRELLI

I, Tamborine Borrelli, do hereby declare:

1. I am the Director of Washington Election Integrity Coalition United (“WEiCU”) and am fully familiar with all facts declared herein.

2. WEiCU is a Washington State non-profit corporation dedicated to the public interest of transparent, secure and verified elections.

3. Defendants have a mandatory duty under state law to conduct proper and legal elections for Lincoln County.

4. As further discussed herein, WEiCU has evidence in the form of thousands of screen shots of official electronic tallies recorded and electronically reported and captured in real time that exactly 6,614 votes were flipped, over 37,000 votes were ‘moved around’ on ten separate events, and/or thousands of votes were removed in one or more state-wide races before, during, and/or after the Election.

5. During the course of the 2020 Election, the Lincoln County Auditor’s office experienced a ransomware attack that blocked access to County computers and election systems which continued to be shut down through the certification of the election results. Despite these events, Auditor’s predecessor personally certified electronically generated tabulation results for the 2020 Election.

6. In 2020, WEiCU volunteers collected thousands of National Election Pool (“NEP”) and Secretary of State website screenshots during the weeks of the 2020 Election from election day through certification (“Volunteer Collection”). Upon analysis, the data establishes inconsistent additions and deletions over time based on incontrovertible third party evidence. We believe these inconsistencies could be a result of the ransomware attack and can only be verified

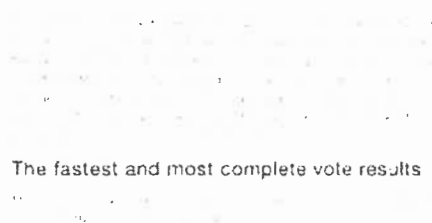
by conducting a more comprehensive analyses as to what extent the security breach affected the election totals.

7. The National Election Pool (“NEP”) provides media organizations with real time voting results in all 50 states for state-wide races, ballot initiatives and house races:

Election Night Reporting – NYT/Edison Election Data that feeds the National Election Pool (NEP)

Edison

Vote Count



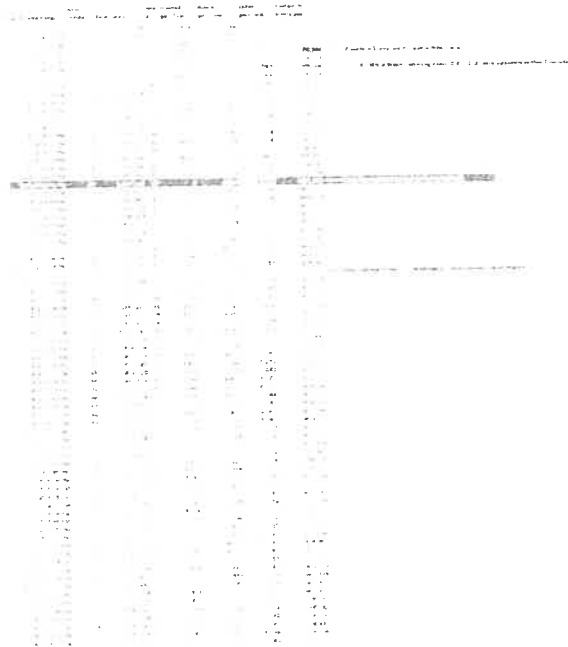
The NEP vote count from Edison Research is the only service continuously updated after election day. They track every vote until results are certified by all states. Multiple sources allow Edison Research to provide faster reporting of vote data than any other organization.

8. Based on NEP election data for the Federal Election analyzed by WEiCU, a total of ten (10) vote-flipping events were documented in the Presidential race, alone, that transferred a total of 37,039 votes (votes moved around in a manner akin to a shell game to fill in where needed).

Pink Flips from 3rd Party
to Biden (Dark Green)

Then back and forth
(Pink)

Again...
And again...
And so on



In tracking voting results, there should never legitimately be a NEGATIVE vote count or reduction in votes allocated to a particular candidate. Yet the NEP data, samples shown above, establish multiple subtractions in voting totals over time.

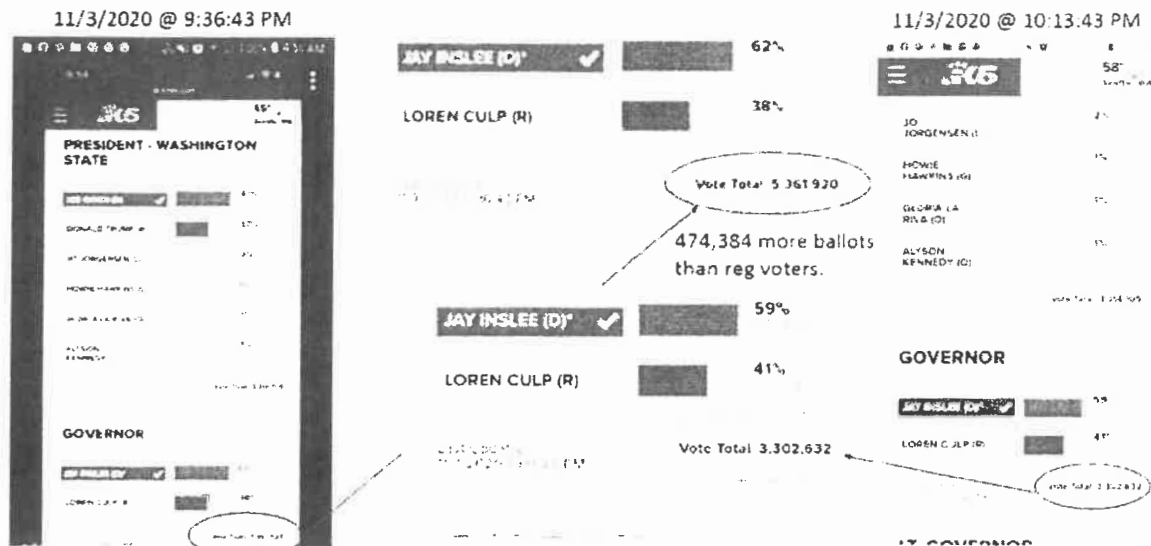
9. An example of one documented vote flip is 6,614 votes shifted (shown as a negative number) from third party candidates to Joseph Biden on November 3, 2020 at 8:54 p.m.:

**One definite vote flip from 3rd Party to Biden
on Nov 3rd @ 8:54 pm of 6,614 votes
(green and pink)**

Time	Party	Count	Change	Total
8:54:00 PM	3rd Party	6,614	-6,614	0
8:54:00 PM	Biden	6,614	+6,614	6,614
8:54:00 PM	Other	0	0	0
8:54:00 PM	Total	0	0	6,614

10. Other vote tally anomalies were found in the 2020 Governor's race. As shown below, at 9:36:43 in the evening, November 3, 2020, the total ballots cast in the Governor's race,

according to King 5 News feed (based on County data) was 5,361,920. However, the total number of registered voters in Washington State at that time was 4,887,536, meaning the official results feed for the Governor's race showed 474,384 *more ballots cast than registered voters* in the entire state. To add insult to injury, forty-five minutes later, at 10:13:43 in the evening, the total ballots cast in the Governor's race fell by a whopping 2,059,288 votes cast, to 3,302,632:



I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 24, 2022

DocuSigned by:

Tamborine Borrelli

DocuSigned by:

Tamborine Borrelli, Director
WASHINGTON ELECTION INTEGRITY
COALITION UNITED

I'll be back in front of Clallam County commissioners tomorrow talking about the huge loopholes in the Clear Ballot licensing agreement. The counties are paying a lot of \$\$ for tabulation systems that aren't guaranteed to work per the terms of the contract.

- Virginia

Exhibit 3

Local Politics

The Seattle Times

Republican challengers say Washington state Attorney General Bob Ferguson has politicized office with Trump lawsuits

July 22, 2020 at 6:00 am | Updated Aug. 2, 2020 at 1:57 pm



Brett Rogers, left, Mike Vaska, center, and Matt Larkin are the GOP candidates for Washington State Attorney General.
(Courtesy of the campaigns)



By Jim Brunner

Seattle Times staff reporter

In 2016, Washington state Attorney General Bob Ferguson was elected to a second term with no Republican even bothering to challenge him. He took 67% of the vote against a Libertarian.

Then came President Donald Trump's inauguration.

Over the ensuing three-and-a-half years, Ferguson has emerged as a leading figure in the Democratic resistance to the Trump administration. His office has sued the administration 69 times, challenging immigration restrictions, environmental rollbacks and other policies.

Republicans have taken notice, and this year three GOP attorneys are competing in the Aug. 4 primary for a chance to take on Ferguson in November.

The attorneys, Mike Vaska, Matt Larkin and Brett Rogers, say Ferguson's obsession with the Trump administration has come at the expense of local concerns, such as a rash of assaults at the King County courthouse and the takeover of six city blocks by protesters.

Safety is an issue

Vaska said the public-safety crisis at the courthouse — which led a King County Superior Court judge to order the temporary closure of the Third Avenue entrance in December — was the final “kick in the pants” that led him to challenge Ferguson.

“For me the issue in the race is: ‘Do you feel safer now than you did four years ago?’” Vaska said.

While the Attorney General's Office does not manage local police and is rarely involved in criminal prosecutions, Vaska said if elected he would use the bully pulpit to bring together leaders and find solutions to such problems.

"I would say something publicly. This is unacceptable. It's not just the facts, it's the appearance that we can't protect people seeking justice," he said.

The courthouse entrance was closed after a rash of incidents of harassment and street violence outside the facility, capped by an unprovoked assault on an attorney and a bus driver.

Vaska, 59, who lives in Issaquah, has worked for the Seattle law firm Foster Garvey (formerly Foster Pepper) since 1984. He handles complex business cases, including antitrust disputes. He has been a leader in major civic initiatives, including Sound Transit's light-rail project.

He also has chaired the Mainstream Republicans of Washington, a organization of moderate Republicans who have found themselves out of step with the Trump-era base of the GOP.

Vaska won't say whether he supports or opposes Trump's reelection. "I am not endorsing any candidates for any races. Period," he said.

While states often wind up in legal disputes with the federal government, Vaska said Ferguson has unnecessarily politicized such lawsuits since Trump took office.

"He has made every lawsuit against the federal government a lawsuit against Trump — even the ones that have nothing to do with Trump," Vaska said, citing a case Ferguson's office joined objecting to the Navy scraping the hulls of decommissioned vessels in Puget Sound.

Vaska said if elected he'd set up a "transparent process" to determine whether to pursue federal lawsuits. "It will not be about who is the president. It will be about the law and the harm to our state," he said.

Larkin, 38, works as legal counsel for Romac, his family's longtime manufacturing

business in Bothell. The company, started by his grandfather, makes pipe-related products for water and sewer systems.

He said Ferguson's lawsuits against the federal government are excessive in number. "We shouldn't be focused on that Washington. We should be focused on this Washington," he said.

Larkin said the homelessness crisis should be a priority. "Even the most liberal of my friends say it is out of control," Larkin said.

The attorney general has "a very big podium," he said, and could make that issue a priority. "The real root of the problem is we have got a mental illness problem and an addiction problem," Larkin said.

Larkin previously worked for a few months as a prosecutor in Pierce County and before that as a fact checker and speechwriter for President George W. Bush for about a year.

He said he brings "much more diverse" experience than his rivals in the GOP race.

Larkin said he supports Trump's reelection, and likes his policies, including tax cuts, but said he has "a lot of issues with his language and tactics."

Ferguson responds

Rogers, a former Seattle police officer who now works for the department as a civilian managing the parking-enforcement unit, said he supports Trump and was motivated in part to run for office by Ferguson's "obstructionist" lawsuits.

"Like Trump or hate Trump, he was duly elected. Just because you don't like somebody's policy doesn't make that illegal," he said.

While he has not raised as much money as his rivals, Rogers said he is banking on support from grassroots Republicans, and has been attending some rallies with Loren Culp, the conservative gubernatorial candidate and small-town police chief.

Rogers, 50, served as a sworn Seattle police officer for 18 years, ending in 2014. He went to law school and passed the bar while working, and then maintained a side solo practice in his hometown of Lake Stevens. He returned to SPD in the parking-enforcement role last year.

Part of his career at SPD was spent working on internal investigations and Rogers said he wants to bring a sense of accountability to state government, which he says has suffered too long from one-party rule.

Like his rivals, Rogers emphasizes public safety, and he criticized Ferguson for a lack of response to the Seattle protesters who occupied part of the Capitol Hill neighborhood for weeks.

“People that lived and owned businesses in that area were inconvenienced and frightened,” he said.

He also criticized Gov. Jay Inslee’s coronavirus-related executive orders shutting down business and mandating face masks, saying he’d fight such measures.

“I would have advised him that what he was doing is unconstitutional on a number of fronts,” Rogers said.

In a statement through a campaign spokesman, Ferguson responded to the criticism by his three opponents.

“Holding powerful interests accountable has always been my priority as Attorney General, from protecting consumers from fraud, to prosecuting big polluters, to challenging illegal actions by the Trump administration,” he said.

Ferguson’s office keeps score on his Trump lawsuits, saying he has won 30, while losing just one on the merits so far.

As of last week, Larkin was the leading fundraiser among the three Republicans, pulling in more than \$235,000, including \$70,000 of his own money. Vaska had raised about \$196,000, including more than \$27,000 of his own money. Rogers had raised about \$47,000, of which \$13,500 was his own money.

Ferguson has raised more than \$3.4 million.

2020 Election Resources

For more information about voting, ballot drop boxes, accessible voting and online ballots, contact your county elections office. Ballots are due by 8 p.m. on Nov. 3.

- King County: 206-296-8683 or [st.news/vote-kingcounty](https://www.kingcounty.gov/elections)

Attorney General Bob Ferguson formally enters 2024 Washington governor race Free

By Jerry Cornfield, Washington State Standard
Published: September 12, 2023, 5:35pm

Washington's Democratic Attorney General Bob Ferguson formally announced on Saturday what's been obvious for months: he's running for governor.

Ferguson has crisscrossed the state, raising money and conducting what he deemed an "exploratory" campaign. But on Saturday, with a morning rally at a Spokane union hall, a midday stop in Pasco, and an evening event in the Washington Hall ballroom in Seattle, he made his candidacy official.

"I know who I am and who I am fighting for – every Washingtonian in every corner of this great state," said the three-term attorney general.

Ferguson, with nearly \$4 million raised and a slate of Democratic party heavyweights supporting him, is the presumptive front-runner to replace Gov. Jay Inslee next year.

Inslee, also a Democrat, delivered a full-throated endorsement of Ferguson on Saturday. Former governor Chris Gregoire, Democratic U.S. Reps. Pramila Jayapal and Suzan DelBene, and King County Executive Dow Constantine also backed him.

"He knows how to win and deliver for Washingtonians," Inslee said in a statement.

Crowded field

Ferguson joins a crowded 2024 field for governor. Public Lands Commissioner Hilary Franz and state Sen. Mark Mullet, are Ferguson's two chief Democratic opponents.

Dave Reichert, a former congressman, and Semi Bird, an ex-Richland school board member, are the main Republican candidates.

Franz and Mullet took aim at the current governor's decision to anoint a successor.

"Anything I've ever done, whether it was running for city council or state lands commissioner or my law career, I've been told to sit quietly, wait my turn, and let the men ahead of me have theirs," Franz said in a statement. "Never stopped me."

Mullet said voters are seeking a choice "not a coronation."

"The affordability crisis we are currently experiencing didn't just happen, it's the result of policies of the Inslee administration and a Bob Ferguson administration will be more of the same," he added, highlighting high prices for housing and gasoline and a new state payroll tax.

In a 25-minute speech in Seattle on Saturday night, Ferguson said affordability, specifically the cost of housing, was the top issue brought up by voters he met during his exploratory campaign. He lauded Inslee and lawmakers for approving new spending and policies last session to spur the building of affordable housing and vowed to "supercharge" those efforts.

Ferguson's priorities

Ferguson, in his speech, also called for hiring more police to address concerns about public safety, continuing Inslee's "great work" on climate policy, increasing access to affordable health care, protecting abortion rights, reducing gun violence, and expanding workforce development partnerships with unions, colleges, and public schools.

Asked afterward to name a substantive policy difference between him and the current governor, Ferguson pointed to public safety, where Washington ranks last in the nation in the number of law enforcement officers per capita.

"We need to change that and that will be a focus of my administration," he said.

He also said the Legislature "needs to step up and make some tweaks" to the Climate Commitment Act "to address the issue of gas prices." He said current prices are "unsustainable" and if elected "I'm going to address the issue" though he did not offer any specifics.

In his current role as attorney general, he said he will keep watch on oil companies and act if evidence of price gouging is found.

"I can assure you my team is very aware of the dramatic increase of gas prices," he told reporters.

Past wins and setbacks

A fourth-generation Washingtonian, Ferguson worked for a private Seattle law firm when he won a seat on the King County Council in 2003. In 2012, he defeated a council colleague, Reagan Dunn, for the attorney general post.

In three terms, through litigation and legislation, he's compiled a broad record on which voters can judge.

He repeatedly took on the Trump Administration, most notably to block the former president's ban on travelers from countries with majority Muslim populations.

Ferguson backed erasing Washington's death penalty and enacting tougher gun laws, including the state's

ban on making and selling certain semi-automatic firearms.

His suit to ensure access to mifepristone, an abortion drug, counters a case out of Texas – now poised to go before the U.S. Supreme Court – which could curb its availability in multiple states.

And he's defeated ballot initiative promoter Tim Eyman in court, forcing him to register as a political committee.

He's also had setbacks.

In 2017, the state paid \$50 million to settle a civil suit arising from the deadly 2014 Oso mudslide after it was discovered that emails were routinely deleted among scientists and engineers hired to offer expert opinions on the disaster's cause.

At the time, a judge characterized the behavior as “more than an innocent, bumbling mistake,” but “less than the conspiratorial cabal” described by the plaintiffs. Washington wound up paying \$10 million and the state's insurers the rest, Ferguson said at the time.

More recently, his office and the Department of Social and Health Services have racked up hundreds of thousands of dollars in fines for what a judge called “egregious” and “cavalier” withholding of evidence in an ongoing lawsuit.

A King County Superior Court judge levied the fine in March as a sanction for the state failing to turn over nearly 11,000 pages of records to attorneys suing over the alleged neglect of a developmentally disabled woman at a home in Kent, The Seattle Times reported.

And Ferguson continues to face scrutiny for how he handled the shift of \$1.2 million of contributions from past campaigns into his current one for governor.

A complaint contended that individual donors had to be identified and their past donations counted toward contribution limits in his gubernatorial run. It said Ferguson had to abide by recent rule changes adopted by the Public Disclosure Commission requiring such disclosure.

Ferguson resisted for weeks but relented last month, disclosing the donors and asking the PDC to end its investigation into the matter – which an agency official said it won't.

The Washington State Standard is a nonprofit, nonpartisan news outlet that provides original reporting, analysis and commentary on Washington state government and politics. We seek to keep you informed about Washington's most pressing issues, the decisions elected leaders are making, how they are spending tax dollars and who is influencing public policy.

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

THE SECOND AMENDMENT FOUNDATION;
THE CITIZENS COMMITTEE FOR THE
RIGHT TO KEEP AND BEAR ARMS;
LIBERTY PARK PRESS; MERRIL MAIL
MARKETING; CENTER FOR THE DEFENSE
OF FREE ENTERPRISE; SERVICE BUREAU
ASSOCIATION; ALAN GOTTLIEB.

No. 2:23-cv-00647

CIVIL RIGHTS COMPLAINT FOR
DAMAGES AND INJUNCTIVE RELIEF

Plaintiffs.

v.

ROBERT FERGUSON, individually and in his
official capacity as Washington Attorney General;
JOSHUA STUDOR, individually and in his
official capacity as Washington Assistant
Attorney General, Consumer Protection Division;
The Attorney General's Office for the State of
Washington, and John Does 1-10.

Defendant.

I. INTRODUCTION

"If there is any fixed star in our constitutional constellation, it is that no official, high or
petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of
opinion or force citizens to confess by word or act their faith therein." *W. Virginia State Bd. of*

CIVIL RIGHTS COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF – Page 1
No.

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1 *Educ. v. Barnette*, 319 U.S. 624, 642 (1943). Our democratic system is built on this foundational
2 rule: every citizen may believe as her conscience dictates and advocate for political change
3 corresponding to those beliefs. "The right of citizens to inquire, to hear, to speak, and to use
4 information to reach consensus is a precondition to enlightened self-government and a
5 necessary means to protect it." *Citizens United v. FEC*, 558 U.S. 310 (2010). This basic tenet
6 sets the United States apart from repressive regimes in which the powers of office are used to
7 suppress opposition—official animosity to political speech "offends the Constitution because
8 it threatens to inhibit exercise of [these] protected right[s]." *Crawford-El v. Britton*, 523 U.S.
9 574, 588, n. 10 (1998).

10 The people of Washington entrusted Washington Attorney General Bob Ferguson and
11 the attorneys beneath him with significant prosecutorial and investigatory powers so that they
12 could fairly enforce the laws enacted by the people's elected representatives. But Mr. Ferguson
13 and his colleagues have overreached. They have used their powers to target citizens who simply
14 believe differently from Mr. Ferguson. The Washington Supreme Court recently held
15 unanimously that Mr. Ferguson's office improperly used Washington Consumer Protection and
16 Charitable Solicitations Acts to suppress constitutionally protected speech with which he
17 disagreed. But Mr. Ferguson remains unrepentant, publicly stating *he is proud* that his improper
18 investigation chilled the exercise of constitutional rights.

19 Mr. Ferguson's office has now set its sights on conservative activist Alan Gottlieb and
20 a number of nonprofit and other entities he is associated with. Each of these entities is dedicated
21 to causes with which Mr. Ferguson's office disagrees. Specifically, the Second Amendment
22 Foundation ("SAF") and the Citizens Committee for the Right to Keep and Bear Arms
23 ("CCRKBA") are nonprofit organizations that advocate for civil rights related to self-defense,
24 gun ownership, including by bringing litigation challenging laws they believe are
25

1 properly registered as a charity with the Secretary of State, or have registered but have failed to
2 make complete disclosures with their registrations. Plaintiffs have examined their own records,
3 reported back to CPD that they cannot tell what CPD is talking about, and requested that CPD
4 stop being so cryptic and just explain what this interminable investigation is really about. CPD
5 has provided no answer because it has no answer.

6 As the months have worn on without any justification emerging for the origin or
7 continuation of CPD's comprehensive probe, it has become increasingly clear that CPD has
8 never had any reasonable basis for suspecting any of the plaintiffs of violating the statutes listed
9 in its CIDs—or any other laws for that matter. Instead, CPD singled out SAF and Mr. Gottlieb
10 for invasive and expensive harassment because of their political beliefs and activities, including
11 their positions on gun control, their outspoken public criticism of Mr. Ferguson, and their legal
12 challenges to his actions and policies. The other plaintiffs have been dragged into the
13 investigation because of their support for and association with SAF and Mr. Gottlieb's protected
14 free speech activities. The agency's investigation is nothing more than a fishing expedition,
15 conducted in the hope of turning up dirt on the Attorney General's political opponents.

16 The wrongful nature of these actions transcends politics. Regardless of one's policy
17 preferences or partisan affiliation, the official misuse of legal process to pursue private
18 vendettas and stamp out dissent is incompatible with a free democratic society. Defendants'
19 actions are illegal and unconstitutional, and they should not be allowed.

20 II. PARTIES

21 1. Alan Gottlieb is the Founder and Executive Vice President of SAF. Born in 1947
22 in Los Angeles, California, he has a degree in nuclear engineering. Mr. Gottlieb has been
23 involved in the gun rights movement since the early 1970s. In addition to founding SAF in
24 1974, Mr. Gottlieb has also been involved in a number of other pro-gun and conservative
25

1 responsible for defending state officials sued in their official capacity, and in this role he
2 frequently defends the constitutionality of state statutes. *Id.* at (2). He is responsible for
3 enforcing the laws of the state, including by investigating suspected violations and bringing
4 legal action where appropriate. He is sued in both his individual and official capacity.

5 9. Joshua Studor is an Assistant Attorney General within the Consumer Protection
6 Division of the Washington Attorneys General Office. As Assistant Attorney General, he holds
7 office at the Attorney General's Pleasure (subject to any collective bargaining agreement).
8 RCW 43.10.060. CPD is responsible for protecting the rights of consumers in Washington
9 State, including by enforcing state and federal consumer protection laws and investigating and
10 prosecuting businesses and individuals that engage in unfair or deceptive practices. Mr. Studor
11 is leading the investigation of Mr. Gottlieb and SAF. He is sued both individually and in his
12 official capacity.

13 10. The Washington Attorney General's Office is the state agency presently headed
14 by Mr. Ferguson. It is tasked with assisting him and carrying out his duties as Washington
15 Attorney General.

16 III. JURISDICTION AND VENUE

17 11. This Court has original jurisdiction over Plaintiffs' federal civil rights claims
18 under 28 U.S.C. §§ 1331 and 1343(3).

19 12. This Court possesses supplemental jurisdiction over Plaintiffs' state law claims
20 under 28 U.S.C. § 1367 because they are so related to the federal claims that they form part of
21 the same case or controversy under Article III of the Constitution.

22 13. This Court is empowered to grant the requested declaratory and injunctive relief
23 pursuant to 28 U.S.C. §§ 2201 and 2202.

1 14. This Court may award costs and attorney's fees in this action under 42 U.S.C. §
2 1988(b).

3 15. Venue is proper in this district under 28 U.S.C. § 1391(b)(2) because a
4 substantial part of the events giving rise to these claims occurred within this district.

5 IV. STATEMENT OF FACTS

6 **This is not the first of Bob Ferguson's unfounded attacks on political opponents or** 7 **unfounded use of his power under the Consumer Protection Act**

8 16. Washington Attorney General Bob Ferguson has made his antipathy to
9 conservative policies and politicians a mark of pride throughout his time in office. Even before
10 listing his legal background and education or accomplishments in office, for example, Mr.
11 Ferguson's campaign website proudly boasts of his "legal record against the Trump
12 Administration," noting that he filed "more than 80 lawsuits" against it.¹ Relatedly, Mr.
13 Ferguson has frequently utilized the CPD to position himself politically and identify his
14 political opposition. The same site states that "Bob has made consumer protection a cornerstone
15 of the Attorney General's Office – cracking down on powerful interests that don't play by the
16 rules." It further notes that "Bob has doubled the size of the Consumer Protection Division in
17 the Attorney General's Office."

18 17. Mr. Ferguson's political beliefs have repeatedly led him and his office to
19 overzealousness. When discussing his record against the Trump administration, for instance,
20 his website explains that less than half of the "more than 80 lawsuits" resulted in "wins's [sic]
21 under Bob's leadership," indicating a majority of the suits were unfounded.

22
23
24 ¹ About Bob Ferguson, Bob Ferguson Democrat Attorney General, <https://bobferguson.com/about> (last visited Mar. 14, 2023).

1 18. CPD in particular has become overenthusiastic under Mr. Ferguson's leadership,
2 pursuing frivolous investigations and prosecutions of law-abiding citizens and their business
3 ventures. This tendency was highlighted in the Washington Supreme Court's recent decision in
4 *Washington v. TTV, Inc.*, 524 P.3d 622, 627 (Wash. 2023). The case involved Value Village, a
5 for-profit thrift store chain whose business model consisted of paying non-profit charities for
6 community-donated goods that it then resold or recycled, providing the charities with a reliable
7 stream of income while simultaneously obtaining its stock for less than typical wholesale prices.
8 *Id.* First, though the Washington Secretary of State's office had contacted Value Village *three*
9 *times* regarding its status under the Washington Charitable Solicitations Act and each time
10 determined that the business was *not* required to register with the State as a commercial
11 fundraiser, CPD wrote to Value Village in November 2014 demanding that it register and renew
12 its status annually. *Id.* at 628. Value Village promptly complied, but this was not the end of
13 CPD's harassment.

14 19. Value Village was very open regarding its status as a for-profit business. Its
15 website and in-store signs and brochures described its business model in detail, much of its
16 marketing explicitly described it as a "for-profit thrift store chain," and Value Village
17 employee's regularly made announcements over the stores' public address system stating that
18 it was a for-profit business. *Id.* at 627-28. Despite this transparency, CPD subjected Value
19 Village to a highly invasive three-year long investigation before bringing a lawsuit against it
20 alleging that it had violated the Consumer Protection Act ("CPA") by misleading customers
21 into believing it was itself a non-profit or charitable organization. *Id.* at 628.

22 20. The Washington Supreme Court ruled that the CPD's actions were
23 unconstitutional. CPD's "broad allegations 'impermissibly chill[ed] protected speech,'" the
24 Court held, and even in the one instance in which CPD had alleged a valid claim, that claim
25

1 was "not supported" by any proof whatsoever. *Id.* at 638-39 (citing *Illinois, ex rel. Madigan v.*
 2 *Telemarketing Associates, Inc.*, 538 U.S. 600, 619 (2003)). The Court thus remanded the case
 3 to the trial court with instructions to dismiss CPD's CPA claims and rule on whether Value
 4 Village was entitled to the attorney fees and costs it had incurred defending against the
 5 unconstitutional charges. *Id.* at 639.

6 21. Mr. Ferguson remained uncontrite despite the Supreme Court's admonition.
 7 Value Village had altered its marketing during the course of CPD's investigation in a futile
 8 attempt to placate the agency, and though the Washington Supreme Court's ruling made clear
 9 the pressure CPD had exerted was unconstitutional, Mr. Ferguson bragged about its results:
 10 "'We are proud that our investigation led Value Village to change its marketing practices and
 11 more clearly disclose that it is a for-profit company.'" Ferguson said."²

12 22. Gun control policy has been one of Mr. Ferguson's primary focuses while in
 13 office. He has championed a series of state legislative enactments restricting citizens' rights to
 14 keep and bear firearms, including a ban on the sale of magazines holding more than 10 rounds,³
 15 a ban on the manufacture or possession of 3D-printed firearms,⁴ a ban on the possession of
 16 semi-automatic rifles, and measures that would hold gun manufacturers and dealers liable for
 17
 18
 19

20 ² Gene Johnson, Associated Press, *Court rejects deception charges against Savers Value*
 21 *Village*, Seattle Times (Feb. 23, 2023), <https://www.seattletimes.com/seattle-news/wa-supreme-court-rejects-states-allegations-against-savers-value-village/>.

22 ³ Washington State Office of the Attorney General, *AG Ferguson: With historic House vote,*
 23 *Legislature bans sale of high-capacity magazines in Washington* (Mar. 4, 2022),
<https://www.atg.wa.gov/news/news-releases/ag-ferguson-historic-house-vote-legislature-bans-sale-high-capacity-magazines>.

24 ⁴ Washington State Office of the Attorney General, *Attorney General Ferguson's bill to ban*
 25 *3D-printed "ghost guns" passes Legislature* (Apr. 23, 2019), <https://www.atg.wa.gov/news/news-releases/attorney-general-ferguson-s-bill-ban-3d-printed-ghost-guns-passes-legislature>.

1 damages caused by unrelated individuals using their products.⁵ When county sheriffs expressed
 2 doubts over whether certain new gun control measures were constitutional, Mr. Ferguson
 3 personally issued an open letter warning that the sheriffs may be held liable if they failed to
 4 enforce them.⁶ When the governor signed a law restricting the sale of assault weapons on April
 5 25, 2023, Mr. Ferguson took to the television cameras that same day to brag that his office had
 6 an undefeated record in litigation against SAF and looked forward to litigating with it again.

7 23. Mr. Ferguson received an award from the anti-gun rights organization Ceasefire
 8 in 2017 and spoke at a CeaseFire live event in 2019 and has tweeted out praise for the Alliance
 9 for Gun Responsibility, Grandmothers Against Gun Violence, and Ceasefire. In 2018, Mr.
 10 Ferguson broke from tradition and endorsed a ballot measure generated by the Alliance for Gun
 11 Responsibility aimed at raising the age to purchase a semi-automatic rifle. Mr. Ferguson has
 12 also appeared as a speaker at events put on by the Alliance for Gun Responsibility, which has
 13 praised his work online.

14 24. As a consequence of the enactments discussed above and Mr. Ferguson's policy
 15 preferences more broadly, Mr. Ferguson's office has frequently clashed with SAF and Mr.
 16 Gottlieb.

17 25. Most significantly, SAF, CCRKBA, and CDFE have often challenged these gun
 18 control measures in court, arguing that they violate the Second Amendment or other
 19 constitutional guarantees. Mr. Ferguson and his office are responsible for defending the
 20 constitutionality of Washington laws, and Mr. Gottlieb and Mr. Ferguson have consistently

21 ⁵ Washington State Office of the Attorney General, *AG Ferguson, Gov. Inslee partner to*
 22 *propose two firearms safety measures* (Dec. 19, 2022), [https://www.atg.wa.gov/news/news-](https://www.atg.wa.gov/news/news-releases/ag-ferguson-gov-inslee-partner-propose-two-firearms-safety-measures)
 23 [releases/ag-ferguson-gov-inslee-partner-propose-two-firearms-safety-measures](https://www.atg.wa.gov/news/news-releases/ag-ferguson-gov-inslee-partner-propose-two-firearms-safety-measures).

24 ⁶ David Gutman, *Sheriffs who don't enforce Washington's new gun law could be liable, AG*
 25 *Bob Ferguson says*, Seattle Times (Feb. 12, 2019), [https://www.seattletimes.com/seattle-](https://www.seattletimes.com/seattle-news/politics/sheriffs-who-dont-enforce-washingtons-new-gun-law-could-be-liable-ag-bob-ferguson-says)
[news/politics/sheriffs-who-dont-enforce-washingtons-new-gun-law-could-be-liable-ag-bob-ferguson-](https://www.seattletimes.com/seattle-news/politics/sheriffs-who-dont-enforce-washingtons-new-gun-law-could-be-liable-ag-bob-ferguson-says)
[says](https://www.seattletimes.com/seattle-news/politics/sheriffs-who-dont-enforce-washingtons-new-gun-law-could-be-liable-ag-bob-ferguson-says).

found themselves on opposite sides of the courtroom. Counting appeals, they have been opposing parties in at least eight different cases since Mr. Ferguson took office. *See N.W. Sch. of Safety v. Ferguson*, No. 3:14-cv-6026-BHS (W.D. Wash. 2014); *N.W. Sch. of Safety v. Ferguson*, No. 15-35452 (9th Cir. 2015); *Washington v. United States*, No. 2:18-cv-01115-RSL (W.D. Wash. 2018); *Mitchell v. Washington*, no. 3:18-cv-05931-RBL (W.D. Wash. 2018); *Washington v. Def. Distributed*, No. 20-35030 (9th Cir. 2020); *Washington v. Second Amendment Foundation*, No. 20-35064 (9th Cir. 2020); *Mitchell v. Atkinson*, No. 20-35827 (9th Cir. 2022); *Sullivan v. Ferguson*, No. 3:22-CV-05403-DGE (W.D. Wash. 2022). The number is even larger counting cases involving similar gun control laws in other states in which Mr. Ferguson's office has filed amici briefs opposing SAF's position or vice versa. *See, e.g., Wrem v. District of Columbia*, Nos. 16-7025& 16-7067 (D.C. Cir. 2016); *Worman v. Healy*, No. 18-1545 (1st Cir. 2018); *Duncan v. Becerra*, No. 19-55376 (9th Cir. 2019); *Duncan v. Bonta*, No. 19-55376 (9th Cir. 2019).

26. The conflict between Mr. Ferguson's office and SAF has also played out in the media. Mr. Gottlieb, SAF, and other Alan Gottlieb-associated entities have released public statements criticizing Mr. Ferguson's views on gun control and the legislation he champions. *See, e.g., CCRKBA*, Press Release, *CCRKBA Says Court Ballot Title Changes To WA Gun Initiative A Small Victory* (Jun. 07, 2018),⁷ SAF, Press Release, *SAF-NRA Amends Challenge to I-1639: Anti-Gunners Wrong, Lawsuit Remains* (Feb. 14, 2019),⁸ SAF, Press Release, *Fed. Judge Denies Motion by Washington A.G. to Compel SAF Discovery in 3D Case* (Mar. 25,

⁷ <https://www.pnnewswire.com/news-releases/ccrkba-says-court-ballot-title-changes-to-wa-gun-initiative-a-small-victory-300662117.html>

⁸ <https://www.saf.org/saf-nra-amends-challenge-to-i-1639-anti-gunners-wrong-lawsuit-remains>

2019);⁹ Dave Workman, *We Definitely Plan to Appeal Says SAF on Fed. Court Ruling*, thegunmag.com (Sept. 2, 2020);¹⁰ Dave Workman, *Exclusive: Spokane County Sheriff Rips AG Ferguson, I-1639*, Liberty Park Press (Feb. 13, 2019);¹¹ Dave Workman, *Anti-gun WA Atty. General Ferguson Endorses Gun Control Measure*, Liberty Park Press (Apr. 25, 2018);¹² Gun-rights advocates file lawsuit to block I-1639, The Daily World (Nov. 16, 2018);¹³ Mr. Ferguson has returned the favor, publicly accusing SAF of attempting to “undermine the will of the voters” with its legal challenges to the constitutionality of gun control laws, Jim Camden, *Washington’s Voter-Approved Semiautomatic Rifle Restrictions Constitutional, Judge Rules*, Spokesman-Review (Sept. 1, 2020).¹⁴

27. Regardless of one’s opinion on constitutional rights under the Second Amendment, there’s no dispute that the actions of Mr. Gottlieb, SAF, and the other CID recipients are constitutionally protected conduct. The Constitution mandates Mr. Ferguson’s disagreements with plaintiffs over the Second Amendment and other laws be resolved in courts of law and his policy disputes be settled in the court of public opinion. But Mr. Ferguson’s office has adopted a different tactic.

28. At an unidentified time more than two years ago, CPD began to investigate Mr. Gottlieb and SAF in much the same way it had Value Village. Despite the public records

⁹ <https://www.saf.org/fed-judge-denies-motion-by-washington-a-g-to-compel-saf-discovery-in-3d-case>

¹⁰ <http://www.thegunmag.com/we-definitely-plan-to-appeal-says-saf-on-fed-court-ruling>

¹¹ <https://www.libertyparkpress.com/exclusive-spokane-county-sheriff-rips-ag-ferguson-i-1639>

¹² <https://www.libertyparkpress.com/anti-gun-wa-atty-general-ferguson-endorses-gun-control-measure>

¹³ <https://www.thedailyworld.com/northwest-gun-rights-advocates-file-lawsuit-to-block-i-1639>

¹⁴ <https://www.spokesman.com/stories/2020/aug/31/semiautomatic-rifle-restrictions-constitutional-ju>

1 authority to retaliate against, obstruct, or chill citizen's expressive rights. *Arizona Students*
2 *Ass'n*, 924 F.3d at 867 (citing *Gibson v. United States*, 781 F.2d 1334, 1338 (9th Cir. 1986)).

3 52. Similarly, "the right of access to courts for redress of wrongs is an aspect of the
4 First Amendment right to petition the government." *Sure-Tan, Inc. v. NLRB*, 467 U.S. 883,
5 896–897 (1984). The First Amendment therefore prohibits state officials from retaliating
6 against an individual or group for their political advocacy, including their filing of lawsuits
7 challenging laws or official policy. *CarePartners, LLC v. LasInway*, 545 F.3d 867, 877 (9th Cir.
8 2008).

9 53. A claim for unconstitutional retaliation exists where a state official takes an
10 adverse action against a party that is substantially motivated by the party's protected conduct.
11 *Arizona Students' Ass'n*, 924 F.3d at 867 (citing *O'Brien v. Welty*, 818 F.3d 920, 933 (9th Cir.
12 2016)). An adverse action is any action that would chill a person of ordinary firmness from
13 exercising their constitutional rights. *Id.*

14 54. 42 U.S.C. § 1983 allows the plaintiffs to bring a private cause of action for
15 violation of their rights under the First and Fourteenth Amendments.

16 55. A "plaintiff is not required to demonstrate that its speech was actually
17 suppressed or inhibited" to prevail on a retaliation claim; "a plaintiff need only show that the
18 defendant 'intended to interfere' with the plaintiff's First Amendment rights and that it suffered
19 some injury as a result." *Id.* (quoting *Mendocino Env't'l Ctr. v. Mendocino County*, 192 F.3d
20 1283, 1300 (9th Cir. 1999)); see also *Bart v. Telford*, 677 F.2d 622, 625 (7th Cir. 1982) (Posner,
21 J.) ("The effect on freedom of speech may be small, but since there is no justification for
22 harassing people for exercising their constitutional rights it need not be great in order to be
23 actionable.").

56. The investigation of SAF is plainly an adverse action, both when it is considered in its entirety and with respect to the individual actions Defendants have taken toward Mr. Gottlieb, SAF, and the other CID recipients. Mr. Gottlieb and SAF have been forced to expend hundreds of man hours and tens of thousands of dollars in legal fees responding to CPD's CIDs. Moreover, CPD's investigation has placed considerable stress on Mr. Gottlieb's health as well as his personal life and professional life, and it has damaged the plaintiffs' reputations by suggesting to third-party CID recipients that they have violated the law. Vendors who have received CIDs may cease to do business with plaintiffs, believing CPD's false intimation that plaintiffs act illegally, or simply not wishing to deal with the hassle and legal fees of complying with current and future CIDs. Any person of ordinary firmness in the position of any of the Plaintiffs would be discouraged from continuing to engage in their customary First Amendment Activity by the CIDs.

57. The CPD's adverse actions against Plaintiffs are substantially motivated by Plaintiffs' protected conduct. There is no evidence of any legitimate reason for the investigation to have ever even begun. There was no pattern of complaints from the public. There was nothing to bring SAF to the CPD's attention other than its political speech and litigation activities. And the few flimsy justifications Defendants have offered for their sweeping incursion are pretextual. Defendants' responding to disfavored political speech and other constitutionally protected activities by subjecting plaintiffs to an invasive, expensive, and unfocused investigation constitutes unconstitutional retaliation.

Count III Unreasonable Search

42 U.S.C. § 1983, Fourth and Fourteenth Amendments to the U.S. Constitution
(Robert Ferguson and Joshua Studor, individually and in their official capacities)

58. The foregoing paragraphs are incorporated herein as if set forth in full.

- 1 b. Enjoin Defendants, their officers, agents, servants, employees, and all persons
2 in active concert or participation with them from serving or enforcing further
3 CIDs for politically discriminatory or retaliatory purposes and/or without
4 reasonable suspicion of illegal activity;
- 5 c. Order Defendants, their officers, agents, servants, employees, and all persons in
6 active concert or participation with them to return or destroy all nonpublic
7 documents or other digital or tangible memorializations of private information
8 that are in their possession as a result of their serving and enforcing CIDs on
9 Plaintiffs and related parties for politically discriminatory or retaliatory purposes
10 and/or without reasonable suspicion of illegal activity;
- 11 d. Grant Plaintiffs any and all damages to which they are entitled, including but not
12 limited to actual, compensatory, punitive and/or nominal damages;
- 13 e. Pursuant to 42 U.S.C. § 1983 and 1988 award costs and attorneys' fees and
14 expenses to the extent permitted;
- 15 f. Award Plaintiffs their costs, including reasonable attorney fees, incurred in
16 connection with this action, as well as \$100 dollars per day that they were denied
17 access to the public records they have requested, under RCW 49.56.550; and
- 18 g. Grant any and all other equitable and/or legal remedies as this Court may see fit.

19 DATED: May 3, 2023

20 CORR CRONIN LLP

21 s/ Jack M. Lovejoy
22 Steven W. Fogg, WSBA No. 23528
23 Jack M. Lovejoy, WSBA No. 36962
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Attorneys for Plaintiffs

AFFIDAVIT OF FACT OF JAMES J. O'HAGAN

I JAMES J. O'HAGAN swear under the penalty of perjury the following statements are true and correct.

The Washington State Patrol submitted a charging document to Washington State Attorney General Robert Ferguson's office accusing Jay Inslee's law partner Gregory Ursich of engaging in fraud upon the courts, and Attorney General Robert Ferguson refused to pursue the matter because it involved people within his political party that he needed, to further pursue his political career. Instead of perusing valid charges on his fellow party comrades, Attorney General Robert Ferguson used public funds (my / our tax dollars) to constantly pursue efforts to block President Trump's Political efforts. These actions involve using the Washington State Attorney General's office for personal political purposes and it is clearly criminal.

Furthermore I am submitting creditable evidence herein that shows without a doubt, Robert Ferguson violated his duties described in RCW 43.10.030 (4) and took actions to block a Grand Jury investigation into alleged election crimes and as such is in direct violation of RCW 29A.84.720 Officers Violations Generally. The absolute truth is, by blocking the Grand jury investigation instead of supporting it, Attorney General Robert Ferguson used his public office to cover-up his own personal criminal acts. These laws were put into force to prevent this very thing from occurring, and protect us from these kinds of criminal acts.

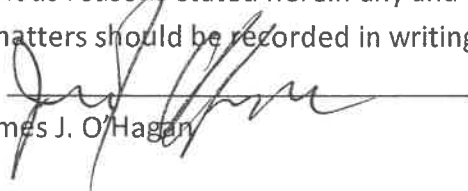
Currently I am planning on running again for State Representative for the 19th district and I believe a proper grand jury investigation will show Attorney General Robert Ferguson was directly involved in using public offices and public funds to personally attack me and my personal political agenda. His continual attacks on President Trump clearly shows the state and federal judicial branches are way out of control and need to be reined in by grand jury Investigations.

In addition to running for State Representative I was elected to be a delegate to the Washington State Republican Convention in Spokane on April 18-20th along with several of my political supporters. While there we intend to do everything in our power to force our current elected State Representatives to conduct a Washington State Constitution Article IV section 9 Removal of Attorney General Judges etc. investigation if a Grand Jury investigation into these matters has not began by then. So I am urging the Prosecutor to fulfill his duty as described in RCW 36.27.020 Duties (9) or risk the very real possibility of being found to be in violation of RCW 29A.84.720 Officers Violations Generally. For obvious reasons stated herein any and all communications with the AG's office involving these matters should be recorded in writing.

Dated this 24 day of February, 2024

By

James J. O'Hagan



Exhibit



STATE OF WASHINGTON
WASHINGTON STATE PATROL

4811 Werner Road • Bremerton, Washington 98312-3333 • (360) 478-4646

October 24, 2013

Mr. James J. O'Hagan
2298 Cranberry Road
Grayland WA 98547

The Washington State Patrol (WSP) Criminal Investigation Division has completed the investigation of your case. The case number associated with this investigation is 08-13-006659. The case officer is Scott Marlow of the Attorney General's Office. The attorney may be reached at (206) 389-2098 during normal business hours. If the attorney is not available when you call, please leave a message and the attorney will call you back as soon as possible.

You are receiving this letter because you are either a victim in this case or because you have been identified to us as a point of contact for the affected person(s).

The investigation has been completed and referred to the Attorney General's Office for a charging decision. The Attorney General makes the decision regarding whether or not to charge a suspect with a crime and what those charge(s) should be. Although the active investigation is complete, the case is not closed until it is adjudicated. The attorney assigned to this case will continue to work closely with the Attorney General's Office until the case is adjudicated by the court.

Now that the case has been referred to the Attorney General's Office, further inquiries regarding this case should be directed to the attorney's office for updates and case status inquiries.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles A. Leblanc".

Captain Charles Leblanc
Criminal Investigation Division

CL:rg

cc: Captain Christopher D Old, Bremerton

Exhibit 44

James J. O'Hagan
2298 Cranberry Rd.
Grayland WA 98547
(360) 267-7911

January, 9, 2017

Wayoutwest1@hotmail.com

RE: CRIMINAL COMPLAINT REGARDING ELECTION LAW VIOLATIONS

TO: Each and every prosecutor in Washington State
AND TO; Each and every Washington State Representative
AND TO; Washington State Attorney General Robert Ferguson
AND TO; Washington State Supreme Court Justices
AND TO; My political supporters and next friends

Greetings,

I am Jimi O'Hagan. I campaigned for position no. 2, for Washington State Representative for the 19th district. I ran for Washington State Representative because my family has been victimized by an extremely corrupt judicial fraud industry that has nothing to do with justice and everything to do with making bad faith decisions of public officials, big business for the judicial fraud industry and taking advantage of all economically vulnerable individuals.

In being forced to address and study the judicial fraud industry for over 20 years, I have a unique understanding how and why the corruption involved in the judicial fraud industry exists. Like most corruption it is all about money, yet unlike almost all other corruption the corruption involved in the judicial industry has infiltrated and consumed our entire governmental structure and it feeds off of attacking our domestic tranquility. The more arguments created, the more money that is created for the judicial fraud industry, until it drowns us in turmoil and consumes all of our societies domestic tranquility.

We are rapidly approaching the situation where it may be impossible to regain control over the judicial fraud industry, and the judicial branch of Washington State, as its members have infiltrated our legislative and executive branches of government and are providing pecuniary benefits, special privileges and immunities to all government officials that support them and the media. Coursing other government officials to support the judicial (fraud industry) branch allows the judicial fraud industry to embezzle millions of dollars from unsuspecting taxpayers through the people's courts and allows judicial branch members to extort the highest wages paid in the counties, all at the expense of the innocent unsuspecting taxpayer. Soliciting government officials who are not members of the judicial branch to support them is a form of Bribery and Corrupt Solicitation.

Even though I would prefer that you like me, it matters not to me if you like me or dislike me. It does not matter to me that you understand and support, or oppose my political beliefs, all that really matters to me is that you respect the law and take respecting the law as seriously as you hope others respect the law.

As the people began understanding how significant my political message was and how important it needs to be addressed, my campaigning efforts began to rapidly gain traction. Just as my campaign was rapidly gaining traction and on the eve of the election a liberal newspaper writer conspired with members of the judicial branch to bring slanderous, trumped up, bogus, malicious and vindictive criminal charges against me in order to protect the interests of the judicial fraud industry, and provide the newspaper with pecuniary benefits, special privileges and immunities. Please see exhibit 1.

The criminal charges I am accused of are on top of a civil lawsuit that I was involved in by an individual that understands the judicial fraud industry very well and was aware that he could use it to defraud me and steal from me. **As described in RCW 60.70.050 Immunity from liability for failure to accept filing or disclose common law lien.** I have qualified immunity against the criminal charges I was accused of, and the criminal charges become a lis pendens action where the prosecution and the Judges involved are assisting the civil defendant with his intent to defraud me as identified in RCW 10.27.030 Intent to Defraud. Please see exhibit 2.

The criminal charges are essentially an unlawful and unauthorized use of the people's courts as jurisdiction is forfeited to the civil lawsuit. In addition to the criminal charges being unlawful, the Lewis County prosecutor was criminally impersonating a Pacific County prosecutor as identified in **RCW 9A.60.040 Impersonating an Officer** whereas; The Pacific county prosecutor had a disability to proceed in connection with the criminal complaint the civil defendant filed against me and as described in **RCW 36.27.030 Disability of Prosecuting Attorney**, there is a specific process to locate a special prosecutor. This was not followed and the Pacific County Prosecutor deputized the Lewis County Prosecutor despite the fact he had no authority to do so as described in **RCW 36.27.040 Appointment of deputies.** As described in **RCW 9A.60.040 Impersonating an officer** in the commission of a crime (election crimes) is a class B felony.

In addition to the filing of criminal charges on top of a civil proceeding the Lewis County prosecutors have a history of filing malicious criminal charges then not showing up to prosecute the criminal charges they filed. In addition to filing malicious criminal charges the Lewis County deputy prosecutor involved in filing the criminal charges against me, that were intended to prevent me from getting elected, has a history of using his official office for engaging in fraud and deceit. Please see exhibit 3. All of this supports my campaign assertions the judicial fraud industry is directly responsible for causing the enormous amounts of lawsuits we have today that is attacking our domestic tranquility.

Even though I was maliciously and viciously attacked by the judicial branch I was trying to clean up and subjected to slanderous public ridicule and humiliation I still only lost the election by less than 10% of the vote. Please see exhibit 4. The slanderous public ridicule and humiliation I was subject to was published in all of the local newspapers and aired on most local radio stations for the entire week before the election deadline, for anyone to imply that it did

not interfere with my ability to get elected to public office is deceptive and engaging in a malicious act of omission. Please see exhibit 5.

I have attached copies of the criminal codes that were violated in exhibit 6. I am requiring that every prosecutor, judge and legislator that receives a copy of this complaint to document their action in writing to present an investigation into the election crimes identified herein to a proper grand jury. I stipulate the proper action is to confer with each other to determine where and when the Grand Jury investigation, or legislative investigation is going to be called.

Exhibit 4 shows that the slanderous public ridicule and humiliation I, my family friends and political supporters were subjected to not only discouraged people from voting for me, it discouraged people from voting period. It is a very serious thing that attacks the very foundation of our government our republican form of government and our democratic process. Everyone involved in it is guilty of engaging in subversive actions against our constitutional form of government as described in.

Under the circumstances every member of the judicial branch who acts in omission does so with the intent to engage in Subversive actions against our constitutional form of government, whereas: **RCW 36.27.020 Prosecutor's Duties (9)** places a duty on each and every prosecutor in the State of Washington to present violations of election crimes to a Grand Jury investigation, no exceptions. **RCW 29A.84.720 Officers- Violations generally,** requires every officer in Washington State to make sure all election crimes are properly addressed. **RCW 9.81.020 Subversive activities made felony- penalty** and our state and federal constitutions places a duty on each and every member of the judicial branch, legislative branch and executive branch to act in a manner that protects our Republican form of government and prevents them from participating in actions to overthrow our constitutional form of government, by the act of omission.

According to Article IV section 9 Removal of Judges, Attorney General, Etc. of our state constitution it is the duty of the legislature to remove all members of the judiciary who fail to perform their judicial obligations, or uses their judicial office to execute criminal activity by their act of omission. I presume members of the judicial branch, including members of the attorney general's office will do everything in their power to discourage members of the legislative branch, who are not judicial branch members, from doing their constitutional duty described in **WSC Article IV section 9.**

For those of you who are members of our legislative branch and are not judicial branch members I ask what is your purpose. Is it your purpose to assist in allowing the judicial branch to overthrow our constitutional form of government so they can continue to make profits by attacking on our domestic tranquility. You should not be afraid of judicial branch members you should be afraid of participating in felony crimes, or assist others to engage in felony crimes. In accordance with **WSC Article II section 28 Special Legislation and Article II section 30 Bribery**

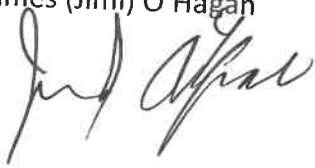
or Corrupt Solicitation, no judicial branch member that is a legislator may vote on the removal of any and all judges and prosecutors who have participated in the criminal activities identified herein with their criminal act of omission.

It is this reason I am sending a complete copy of this criminal complaint to each and every prosecutor in Washington State, every Judge in Washington State, and every elected state official. This is not intended to be a simple assignment you can ignore or fail to complete, it is intended to be a test to see how deep the public corruption and organized crime of the judicial branch is rooted in our Washington State government. It is entirely your choice to act in omission and participate in the most serious felony crimes against our society, or speak up and say, "no I will not participate in these felony crimes by my act of omission".

I intend to present this as evidence or (if a judge attempts to stop me for obvious reasons), include it in my opening or closing arguments, to the jury in my defense, and show the jury how you did on this test. I intend to ask the jury to demand a Grand Jury investigation into the magnitude of public corruption and organized crime that is involved in all of this subversive attack on our constitutional form of government.

Very truly Yours,

James (Jimi) O'Hagan

A handwritten signature in black ink, appearing to read "Jimi O'Hagan", written in a cursive style.

James J. O'Hagan
2298 Cranberry Road
Aberdeen, WA 98547



FEB 18 2025

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

U.S. District Court Clerk
700 STEWART ST, SUITE 2310
SEATTLE WA 98101